

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2006 TO  
PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND  
FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

*Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to make appropriations for the fiscal year beginning July 1, 2005, and to make certain changes in law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.*

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2006, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts and subject to laws regulating the disbursement of public funds. Notwithstanding any general or special law to the contrary, appropriations made in this act shall not revert and shall be available for expenditure until June 30, 2007. The sums in said section 2 shall be in addition to any amounts previously appropriated and made available for the purposes of those items.

SECTION 2.

**JUDICIARY.**

*Trial Court.*

0330-0410 .....\$83,000

*Hampden County District Attorney.*

0340-0500 .....\$680,410

**SECRETARY OF THE COMMONWEALTH.**

0521-0000 .....\$67,465

0540-2000 .....\$42,000

## **EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.**

1108-1011 .....	\$35,076
1232-0100 .....	\$5,000,000

## **EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.**

*Department of Veterans' Services.*

1410-0010 .....	\$235,500
1410-0012 .....	\$107,757

## **EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.**

2000-0100 .....	\$855,000
2030-1000 .....	\$397,000

*Department of Environmental Protection.*

2200-0100 .....	\$250,000
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*Department of Fish and Game.*

2300-0100 .....	\$50,000
2310-0200 .....	\$50,000
2330-0100 .....	\$340,000

*Department of Conservation and Recreation.*

2800-0200 .....	\$2,750,000
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## **EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.**

*Office of the Secretary.*

4000-0112 .....	\$400,000
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*Department of Elder Affairs.*

4000-0600 .....	\$2,000,000
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*Soldiers' Home in Massachusetts.*

4180-0100 .....\$25,000

*Department of Transitional Assistance.*

4400-1000 .....\$125,000

4403-2120 .....\$1,000,000

*Department of Public Health.*

4510-0100 .....\$468,000

4510-0150 .....\$1,500,000

4512-0103 .....\$300,000

4512-0200 .....\$20,100,000

4512-0500 .....\$850,000

4516-1000 .....\$2,418,038

*Department of Social Services.*

4800-0038 .....\$412,000

*Department of Mental Health.*

5047-0001 .....\$253,716

*Department of Mental Retardation.*

5920-2000 .....\$85,000

**EXECUTIVE OFFICE OF TRANSPORTATION.**

*Department of Highways.*

6010-0001 .....\$100,000

**EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT.**

*Department of Housing and Community Development.*

7004-0099 .....\$385,000

*Department of Workforce Development.*

7003-0702 .....\$1,789,999

*Division of Insurance.*

7006-0020 .....\$200,000

*Department of Business and Technology.*

7007-0900 .....\$835,000

7007-1000 .....\$500,000

7007-1200 .....\$150,000

*Department of Education.*

7061-9404 .....\$52,858

7100-0200 .....\$399,316

**EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.**

*Office of the Secretary.*

8000-0000 .....\$869,000

*Department of Fire Services.*

8324-0000 .....\$75,000

*Registry of Motor Vehicles.*

8400-0001 .....\$400,000

*Military Division.*

8700-0001 .....\$460,802

*Department of Correction.*

8900-0001 .....\$875,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of

law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise, for the several purposes and subject to the conditions specified in this section, and subject to laws regulating the disbursement of public funds. Notwithstanding any general or special law to the contrary, appropriations made in this section shall not revert and shall be available for expenditure until June 30, 2007. The sums shall be in addition to any amounts previously appropriated and made available for the purposes of these items.

**JUDICIARY.**

*Trial Court.*

0330-0318	For the Boston municipal court to fund treatment coordinators and support services for intensive probation, supervision and treatment initiatives to treat nonviolent, substance-abusing offenders .....	\$200,000
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**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.**

*Office of the Secretary.*

1100-1560	For the Massachusetts Development Finance Agency; provided, that not less than \$500,000 shall be expended by the agency for the planning for a new mission to be executed by the Massachusetts air national guard at Otis air national guard base; and provided further, that not less than \$500,000 shall be expended by the agency for the planning and development of a homeland security training center to be located on the Massachusetts military reservation.....	\$1,000,000
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## **EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.**

### *Reserves.*

1599-1110	For the costs associated with section 17 of this act .....	\$157,609
1599-7800	For a reserve to meet the fiscal year 2006 costs of salary adjustments for justices of the supreme judicial court, appeals court and trial court, and certain other employees pursuant to sections 41, 42 and 44 of this act .....	\$6,998,409
1599-7900	For the costs associated with sections 39, 40, 43, 45, 46, 47, 48 and 49 of this act .....	\$2,004,590

## **EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.**

### *Department of Agricultural Resources.*

2511-2000	For the Agricultural Innovation Center; provided that the Agricultural Innovation Center shall be established in consultation with the Center for Agriculture at the University of Massachusetts Amherst; provided further, that the Agricultural Innovation Center shall provide a broad range of technical and business development services to the commonwealth's agricultural producers that may add value to the producers products and services; provided further, that the Agricultural Innovation Center shall develop an outreach program to identify and foster new, innovative ideas and approaches to adding value to the commonwealth's agricultural economy; provided further, that the Agricultural Innovation Center shall solicit requests from the commonwealth's agricultural industry for funding and	
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technical assistance in training, marketing, distribution, applied research, agri-tourism, aquaculture, forestry, processing, fiber and agricultural resource management; provided further, that \$200,000 shall be expended for a public/private program of matching funds between the food science department of the University of Massachusetts Amherst and private food industry businesses with the purpose of establishing the research, scientific and regulatory frameworks to expand the creation and production of high value, high growth and high profitability functional foods and to stimulate growth and profitability in the food producing industries in Massachusetts, and provided, further, that the food industry must provide at least a 100 per cent match.....\$3,200,000

**EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.**

*Office of the Secretary.*

4000-0265      For the purpose of providing one-time grants to community health centers; provided, that \$200,000 shall be expended for the Dimock Community Health Center located in the Egleston square neighborhood in the Roxbury section of the city of Boston for health care and traditional housing to the medically underserved patients from the Roxbury, Dorchester and Jamaica Plain sections of the city of Boston; provided further, that \$200,000 shall be expended for Whittier Street Community Health Center in the Roxbury section of the city of Boston for adult and child behavioral

health services to the homeless, immigrant and refugee populations; provided further, that \$200,000 shall be expended for a community health center serving a disadvantaged population in the Mattapan section of the city of Boston; provided further, that \$100,000 shall be expended for the Fenway Community Health Center located in the Fenway section of the city of Boston which provides health care to gay and lesbian populations; provided further, that \$100,000 shall be expended for South Cove Community Health Center located in the Chinatown section of the city of Boston which provides health care to immigrant and linguistically diverse populations; provided further, that \$200,000 shall be expended for the Harvard Street Health Center located in the North Dorchester section of the city of Boston; provided further, that \$200,000 shall be expended for the Roxbury Comprehensive Community Health Center (RoxComp) to mitigate health care disparities; and provided further, that \$300,000 shall be expended for the Manet Community Health Center in the city of Quincy..... \$1,500,000

4000-0305 For an advanced, enterprise-wide healthcare decision support system and reporting and analysis capabilities; provided, that the total fiscal year 2006 cost of that program shall not exceed the amount appropriated herein, of which up to 90 per cent is eligible for federal financial participation (FFP); provided further, that such system and capabilities shall supplement and enhance any existing healthcare data warehouse functionality developed by the executive office of



health and human services and shall include, but are not limited to: program integrity functions, including Surveillance Utilization Review (SURS) and fraud and abuse detection and investigation capabilities; financial, clinical and utilization analysis; eligibility and enrollment analysis; evaluation of both fee-for-service and managed care programs; beneficiary and provider profiling; budgeting, forecasting and, cost driver analysis; disease management and case management program evaluation and support; pharmaceutical analysis; federal waiver analysis; Medicaid Administrative Reporting (MARS) and federal reporting; executive information system capabilities; and ad hoc query and reporting; and provided further, that, the executive office shall issue a request for proposal by August 1, 2006, with an award by November 1, 2006, for the program, to a qualified vendor selected in a competitive process.....\$1,000,000

*Department of Education.*

7035-0123 For grants to be administered by the department of education to provide grants to junior achievement organizations; provided, that the grants shall be for programs and services that expand the participation and involvement in educational opportunities and activities for youths.....\$500,000

**BOARD OF HIGHER EDUCATION.**

7066-0115 For the purposes of implementing section 15E of chapter 15A of the General Laws to encourage private fundraising by the commonwealth's public institutions of higher

education for the endowments and capital outlay programs of those institutions; provided, that funds shall be disbursed on a quarterly basis in proportion to the amount of funds raised by each institution; provided further, that the board of higher education shall implement this program in a manner which ensures that each institution shall have an equal opportunity to secure matching funds from this item; provided further, that \$7,000,000 shall be allocated to University of Massachusetts campuses; provided further, that \$3,000,000 shall be allocated to state college campuses; and provided further, that \$3,000,000 shall be allocated to community college campuses; and provided further, that if any funds allocated herein for disbursement to state and community college campuses shall be unused, the remaining funds shall be made available to University of Massachusetts' campuses ..... \$13,000,000

*University of Massachusetts.*

- 7100-0400 For an ongoing study conducted by the University of Massachusetts at Amherst's agricultural department, of the winter moth worm and methods to minimize and or eliminate its damage. .... \$150,000
- 7100-0550 For the University of Massachusetts biomedical institute for discovery to be established at the Worcester campus to support research and innovations; provided the institute shall (i) perform and support basic research relevant to biotechnology and life sciences, (ii) enhance the development of technology in this sector, (iii) provide

technical assistance and collaborative research infrastructure in support of small institutions and current or prospective companies involved in this sector, (iv) involve or employ higher education and secondary education students and faculty in research and in the center's operations, (v) facilitate faculty externships and student internships in this industrial sector, and (vi) foster a collaboration with an enterprise committed to the incubation of new and young companies; provided further, that the institute shall support a center for intelligent high throughput biology and may expend up to \$2,500,000 for equipping, establishing and operating 6 shared resource core facilities utilizing high throughput techniques to speed the development of new hypotheses; to create and make available to scientists at small institutions and companies the tools of genomic medicine; and to create the resources to facilitate the development and study of the interactions of chemical compounds, gene products, cells and organisms and the networks formed by these interactions.; provided further, that not less than \$1,500,000 of these funds shall be used to acquire equipment providing access to state-of-the-art productivity enhancing tools such as robotics of plate and liquid handling, transfection/infection, washing, incubation, plate assay/reading and informatics, including, but not limited to, gene silencing, proteomics and protein fractionation, microarray, sequencing and synthesis chemical biology screening and bioinformatics; provided further, that

the institute shall establish a center for stem cell biology and regenerative medicine in further support of the public institutional review board operating pursuant to chapter 111L of the General Laws; provided further, that all intellectual property generated by research within the center shall be identified on the Center's internet site and offered on a first negotiation basis to Massachusetts companies expressing interest; provided further, the center shall create a stem cell biology core to serve as a resource/registry for all established and newly established stem cell lines, provide the expertise to grow and characterize the stem cell lines and make them readily available at cost to the academic and industrial scientific community in the commonwealth, and serve as a catalog and data warehouse storing all new data which becomes available from studies conducted on the stem cell lines; and provided further, that \$1,000,000 may be expended for the operations of the stem cell biology core ..... \$2,500,000

7100-0600 For one-time reimbursements to the University of Massachusetts Lowell for excess tuition payments to the commonwealth in fiscal year 2006 .....\$1,208,889

*Community Colleges.*

7509-1000 For the development of a program at Mount Wachusett community college providing technical assistance to state facilities and public school districts to reduce energy costs through the utilization of renewable energy systems ..... \$150,000

7515-0122	For one-time upgrades, replacement, and repair of academic and administrative computers at Roxbury community college .....\$105,600
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SECTION 2E. To provide for certain unanticipated obligations of the commonwealth, to provide for certain other activities and projects and to meet certain requirements of law, the sums set forth herein are hereby appropriated from the General Fund for the several purposes and subject to the conditions specified therein, and subject to the provisions of law regulating the disbursement of public funds; provided, that notwithstanding the provisions of any general or special law to the contrary, appropriations made herein shall not revert and shall be available for expenditure until June 30, 2007.

**SECRETARY OF THE COMMONWEALTH.**

0526-0910	For a program of grants to units of municipal governments and to private, nonprofit organizations for the preservation of historic properties, landscapes and sites; provided, that \$40,000 be expended for the West End museum in the city of Boston; provided further, that \$100,000 shall be expended for the historic preservation repairs at the Bacon free library in Natick; provided further, that \$40,000 shall be expended for the historic preservation of the Winthrop library museum; provided further, that \$200,000 shall be expended for the historic preservation and maintenance of a public building on the historic registry in the town of Stoneham; provided further, that \$100,000 shall be expended for historic preservation at the Lenox library in the town of Lenox; and provided further, that not less than \$200,000 to be expended for the purpose of restoring the Old Indian
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meeting house, in the town of Mashpee; provided further, that \$5,000 shall be expended for the historic preservation repairs to markers at the Brookfield cemetery; provided further, that not less than \$75,000 shall be expended for the historic preservation of the Ipswich public library; and provided further, that said amount shall be matched 100 per cent by said town of Ipswich; provided further, that \$75,000 shall be expended for historic preservation of Atheneum hall in the town of Framingham; provided further, that no less than \$30,000 be expended for the purpose of further restorations to the Whitman town park designed by Frederick Law Olmstead; provided further, that \$100,000 shall be expended for handicap accessibility at the Needham historical society; provided further, that \$44,008 shall be expended for Alternatives Unlimited, Inc. to restore the damage caused by a flood in the forge building at Whitin Mill in the town of Whitinsville .....\$1,009,008

**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.**

*Office of the Secretary of Administration and Finance.*

1599-3748      For a reserve to fund capital projects at state and community colleges; provided, that funds expended from this item shall be prioritized to address the rehabilitation, renovation and maintenance of infrastructure identified as posing an immediate hazard to public safety; and provided further, that the secretary of administration and finance shall file a report with the house and senate committees on ways and means and the house and senate committees on higher education on

or before December 1, 2006 detailing the list of projects  
scheduled to receive prioritized funding through this reserve .....\$50,000,000

1599-3749

To fund costs at the University of Massachusetts associated with planning, and studies, the preparation of plans and specifications, construction, renovation, reconstruction, improvement, demolition, expansion, repair, including furnishings and equipment and related administrative expenses at the University of Massachusetts for campus facilities and grounds capital projects; provided, that funds expended from this item shall be prioritized to address the rehabilitation, renovation and maintenance of infrastructure identified as posing an immediate hazard to public safety; and provided further, that funds appropriated herein shall be transferred by the comptroller to the University of Massachusetts building authority based upon a report submitted by the president of the University of Massachusetts detailing the list of projects scheduled to receive prioritized funding through these funds; and provided further that the report shall be filed with the house and senate committees on ways and means, the joint committee on higher education, and the secretary of administration and finance on or before December 1, 2006 .....\$50,000,000

## **EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.**

### *Department of Conservation and Recreation.*

2800-0108

For maintenance of the commonwealth's park and beach system, including improvements to public access; provided, that \$50,000 shall be expended for Apponagansett bay in the

town of Dartmouth; provided further, that \$150,000 shall be expended for the towns of Brewster and Harwich to address a phosphorus imbalance in Long pond; provided further, that \$100,000 shall be expended for the design and construction of a boardwalk along Salisbury beach; provided further, that \$300,000 shall be expended for improvements to Ambrose park in the city of Revere; provided further, that \$100,000 shall be expended for repairs to a boat ramp at Pamet river in the town of Truro; provided further, that \$350,000 shall be expended for the Kernwood marina in the city of Salem; provided further, that \$50,000 shall be expended for a feasibility study to extend the Ashuwillticook bike trail from its ending point at the Pittsfield-Lanesborough line for an additional 2 miles into the city of Pittsfield; provided further, that \$100,000 shall be expended to the town of Medway for storm damage; provided further, that \$250,000 shall be expended to the town of Grafton for costs associated with the Lake Ripple dredging project; provided further, that \$100,000 shall be expended for the restoration of Merrymount park in the city of Quincy; provided further, that \$30,000 shall be expended for the restoration and conservation of Furnace pond in the town of Pembroke; provided further, that \$300,000 shall be expended for improvements to Frederick's park in the city of Revere; provided further, that \$250,000 shall be expended to the town of Wakefield for the cleanup of Lake Quannapowitt, including its shoreline, bank, buffer zone, and land in the



vicinity thereof; provided further, that \$150,000 shall be expended for the Jordan pond Project in the town of Shrewsbury; provided further, that \$10,000 shall be expended for the Lake Singletary Watershed Association; provided, further, that \$100,000 shall be expended to the town of Holliston for costs and expenses relative to storm and flood damage, a water emergency situation, and other extraordinary or emergency items as determined by the Holliston board of selectmen; and provided further, that \$200,000 shall be expended to rehabilitate the Choate park dam in Medway; provided further, that \$125,000 shall be expended for the cleanup and maintenance of the Fellsmere pond in the city of Malden; provided further, that \$65,000 shall be expended for the cleanup of the Oak Grove culvert in the city of Malden; provided further, that \$100,000 shall be expended for improvements in maintenance costs for the Fells reservation area in the cities of Medford, Melrose and Stoneham; provided further, that not less than \$500,000 shall be made available for the construction of a bath house at Constitution beach in the East Boston section of the city of Boston; provided further, that \$20,000 shall be expended for improvements to Warren Manning park in the town of Billerica; provided further, that not less than \$75,000 shall be expended for construction of handicap accessible raised public access walkway along the Great brook in the town of Southwick; provided further, that not less than \$75,000 be expended for design of a handicap accessible public access

trail at Pynchon point in the city known as the town of Agawam; provided further, that \$100,000 shall be expended for improvements to the Vietnam Veterans park in the town of Billerica; provided further, that \$40,000 shall be expended to rehabilitate Havey beach reservation in West Roxbury; provided further, that not less than \$85,000 shall be expended for reconstruction of a boat launching ramp at Magansett harbor in North Falmouth; provided further, that \$100,000 shall be expended for the dredging of Nashawannuck pond in Easthampton; provided further, that \$75,000 be expended for design and construction of Pakachoag meadows in Auburn; provided further that \$250,000 be expended for the athletic fields in the town of Saugus, including a track located on Dow street in the town of Saugus; provided further, that \$25,000 shall be expended for the Indian Lake Watershed Association; provided further, that \$150,000 be expended for sidewalk construction and improvement on the Lynn Fells parkway in the town of Saugus between the Main street intersection and the Saugus/Melrose line; provided further, that \$100,000 shall be expended for improvements to the William A. Meaney playground in Dorchester; provided further, that \$75,000 be expended for the design of traffic signals at the intersection of Route 44 and Plymouth Mobile Estates; provided further, that \$30,000 shall be expended for improvements to Tercentennial park in the town of Framingham; provided further, that \$35,000 shall be expended for emergency

repairs to the Oak Grove playground in Millis; provided further, that \$800,000 shall be expended to the town of Holliston towards acquisition and other improvement costs in connection with the rail trail from the town of Sherborn through a portion of the town of Holliston; provided further, that \$100,000 be expended for the improvement of Saxton J. Foss park in the city of Somerville; provided further, that \$250,000 be expended for a traffic light at a pedestrian crosswalk at Hawthorne street extension in Cambridge; provided further, that \$250,000 be expended to enhance the park land and construct the boat ramp at the land on Route 110 Methuen as the "Beas site"; provided further, that \$90,000 shall be expended for park renovations in Stone park in the town of Ashland; provided further, that no less than \$45,000 shall be expended for safety repairs to the dam and herring ladder located on the Mattapoissett river at route 6; provided further, that \$100,000 shall be expended for the maintenance programs and supplies for Squantum Point park; provided further, that not less than \$20,000 shall be expended for costs associated with playground improvements at Purgatory Chasm state reservation; provided further, that \$100,000 shall be expended for Pine Tree brook in the town of Milton for the purpose of implementing Phase V of a project for clearing and dredging; provided further, that \$1,200,000 shall be expended for the renovation of the Manning pool in the city of Brockton; provided further, that not less than \$3,000,000

shall be expended for capital improvements and maintenance costs for Revere beach in the city of Revere of which not less than \$80,000 shall be made available for the purpose of installing archways as part of this project; provided, that \$150,000 shall be expended for costs associated with the design and construction of the Charles river skatepark in the city of Cambridge; provided further, that not less than \$30,000 shall be expended for the operation of Berkshire Grown, the buy local campaign of Berkshire county; and provided further, that not less than \$200,000 shall be expended as a 3-to-1 matching grant for phase II or Parker's river marine and community park in the town of Yarmouth .....\$10,950,000

2800-0610 For design and engineering services related to the renovation of the department of conservation and recreation's community pools considered to be in critical condition or very poor condition in the department's "Key Components Assessment Summary" conducted in 2004; provided, that design and facility operation plans shall be developed in partnership with the local community; and provided further, that \$250,000 shall be expended for capital improvements and renovations for the state park at Fort Phoenix in the town of Fairhaven, including \$40,000 for preservation of and structural repairs to the fortifications, gunpowder magazine and retaining walls of Fort Phoenix .....\$1,750,000

2850-1511 For a grant program to fund the rehabilitation, reconstruction and construction of sea walls; provided, that preference of funding for the renovation and construction of the sea walls

shall be given to those areas that pose an immediate hazard  
to public safety.....\$5,000,000

**EXECUTIVE OFFICE OF TRANSPORTATION.**

*Department of Highways.*

6005-0030 To provide for transportation improvements, to include road, pedestrian and infrastructure projects; provided, that \$336,000 shall be expended for the Bolivar street project in the town of Canton; provided further, that \$40,000 shall be expended for flood control on Forest road in Millis; provided further, that \$25,000 shall be expended for the Woburn Nelco roadway construction; provided further, that \$350,000 shall be expended for the reconstruction and repaving of route 133 in Boxford from the Georgetown /Boxford town line to West Boxford center; provided further, that \$200,000 shall be expended for the installation of a stop light and related road construction at the Winter street and route 53 intersection in the town of Duxbury; provided further, that \$500,000 shall be expended for the route 97 intersection project in the town of Wenham; provided further, that \$200,000 shall be expended for traffic signals and roadway improvements at the intersection of Bolton street and Rockdale avenue located in the south end of New Bedford; provided further, that \$125,000 shall be expended for the replacement of a culvert on Bridge street in the town of Dennis; provided further, that \$45,000 shall be expended for improvements to the sidewalk on North Main street in Sherborn to meet the standards of the Americans with

Disabilities Act; provided further, that \$200,000 shall be expended for the construction of a new highway barn and salt shed in the town of Medway; provided further, that \$100,000 shall be expended for the Old Center/Common project in North Andover; provided further, that \$100,000 shall be expended for design and construction of sidewalks on Green street in the town of Lynnfield; provided further, that \$100,000 for platform repairs in the town of Stoughton; provided further, that \$800,000 shall be expended for the Chicopee riverwalk and bikeway project; provided further, that \$100,000 shall be expended for the rehabilitation of the Fisher street bridge in the town of North Attleboro; provided further, that \$30,000 shall be expended for a feasibility study conducted by the towns of Wakefield and Lynnfield for recreational pathways abutting Reedy meadow; provided further, that \$200,000 shall be expended to restore and expand 2B Oak street in the town of Medway; provided further, that \$125,000 shall be expended for emergency road repairs as the result of heavy rains in the town of Bernardston; provided further, that \$325,000 shall be expended for sidewalks on Franklin street in the town of Reading; provided further, that \$100,000 shall be expended for the redesign and engineering of the intersection of Chestnut street and route 1 in the town of North Attleboro; provided further, that \$900,000 shall be expended for the fourth phase of the East street renovation project in the town of Ludlow; provided further, that \$200,000 shall be

expended for road improvements on Achusnet avenue and Braley road in the city of New Bedford; provided further, that \$50,000 shall be provided to the city of Northampton for a study and preparation of plans to correct drainage problems in the Federal street and Bernache street areas of that city; provided further, that \$250,000 shall be expended for improvements to traffic flow in Billerica center; provided further, that \$20,000 shall be expended for the construction of a salt shed in the town of Brookfield; provided further, that \$2,400,000 shall be expended for improvements on Chestnut street in the town of Needham; provided further, that \$50,000 shall be expended for road improvements to route 101 in the town of Templeton; provided further, that \$80,000 be allocated for the construction of a crosswalk along the border of the town of Lexington and the city of Waltham; provided further, that not less than \$50,000 shall be expended for the Gateway to the Manor project in the town of Dedham; provided further, that \$70,000 shall be expended for emergency road and infrastructure repairs as the result of the heavy rains of July 18, 2005 in the town of Whately; provided further, that not less than \$50,000 shall be expended to the town of Bellingham for restoration and preservation of historic buildings; provided further, that not less than \$300,000 shall be expended for the installation of a traffic signal to allow for U-turns on route 1 in the town of Westwood; provided further, that \$40,000 shall be expended to the town of Littleton for signalization lighting at the

Littleton high school entrance located on King street in the town of Littleton as part of the Route 2A/Route 110 Traffic Improvements, Littleton High School Turn Lane project as shown on a plan prepared for the Massachusetts highway department by the Berkshire Design Group, Inc. dated May 10, 2004; provided further, that \$795,000 shall be expended for the renovation of the Rockland street bridge in the town of Wellesley; provided further, that not less than \$25,000 shall be expended for said department to conduct a feasibility study on erecting sound barriers along Route I-93 in Somerville; provided further, that \$100,000 shall be appropriated for emergency repairs to bridges, culverts, and waterways caused by floodwaters in the town of Mendon; provided further, that \$50,000 shall be expended to the town of Littleton for right of way acquisitions on 2 parcels located at 62-64 King street in the town of Littleton as part of the Route 2A/Route 110 Traffic Improvements, Littleton High School Turn Lane project as shown on a plan prepared for the Massachusetts highway department by the Berkshire Design Group, Inc. dated May 10, 2004; provided further, that \$100,000 shall be appropriated for emergency repairs to bridges, culverts, and waterways caused by floodwaters in the town of Hopedale; provided further, that \$400,000 shall be appropriated for emergency repairs to bridges, culverts, and waterways caused by floodwaters in the town of Milford; provided further, that not less than \$100,000 be expended for improvements to the Memorial bridge rotary in



West Springfield; provided further, that \$85,000 shall be expended for improvements to the sidewalks on North Main street in the town of Andover; provided further, that not less than \$200,000 shall be expended for design and development of Quinebaug valley rail trail; provided further, that \$250,000 shall be expended for roadway and infrastructure improvements on Essex street from Danvers road to the Lynn line in Swampscott; provided further, that \$90,000 shall be expended for sidewalk construction in the town of Ashland; and provided further, that \$100,000 shall be expended for the repaving of Paradise road in Swampscott; provided further, that \$50,000 shall be expended for a feasibility study of the Blackstone valley regional salt shed in the town of Sutton; provided further, that \$155,000 shall be expended for the Granite avenue and the Neponset river bike path traffic signal; provided further, that \$125,000 shall be expended for roadway, culvert and waterway repairs in the town of Leyden; provided further, that \$100,000 shall be expended for the design and construction of full traffic signalization in the vicinity of the Holbrook public safety complex at the intersection of King street and South Franklin street in the town of Holbrook; provided further, that \$50,000 shall be expended for the installation of new and improved lighting for the safety of MBTA riders at the JFK/UMASS and Fields Corner Red Line stations; provided further, that no less than \$300,000 shall be expended for sidewalks on Elm street in the town of East Bridgewater,

from North Central to Belmont street, and on Belmont street from Elm to Summer street, and on Spring street from Bedford to Winter street; provided further, that not less than \$1,000,000 shall be expended for improvements along the Blue Hills parkway, including but not limited to infrastructure and road improvements, signalization, sidewalks, lighting, safety and aesthetic improvements, in the town of Milton; provided further, that \$16,000 shall be expended to improve, upgrade and repair traffic signals at the intersection of route 16 and Hopedale street in Hopedale; provided further, that the bicycle program within the executive office of transportation, in collaboration with the official sponsor of the event, state, regional and local agencies and cities and towns, shall accept the established bicycle route of the Pan Mass Challenge and shall designate and mark the bicycle route by means of signs bearing the official logo of the event; provided further, that \$15,000 shall be expended for the purchase, post fabrication and installation of Pan Mass signs along the Pan Mass route from Sturbridge to Bourne; provided further, that \$50,000 shall be expended on the planning, design and construction of sidewalks on route 22 in the town of Wenham; provided further, that \$50,000 shall be expended for the South Main street improvement project in the town of Middleton; provided further, that \$118,334 shall be expended for the emergency reconstruction of state highway route 68 in the town of Royalston; provided further, that \$13,000 shall be

expended for funds to reimburse the town of Royalston for expenditures regarding the breach of a beaver dam that caused the collapse of Route 68; provided further, that \$250,000 shall be expended for the design and construction of a south-bound ramp for route 495 in the towns of Mansfield and Norton; provided further, that not less than \$150,000 shall be expended for a study on improvements to the Crescent street parking garage in the city of Waltham; provided further, that \$10,000 shall be expended for design of a recreation trail along route 2 in the town of Harvard; provided further, that \$40,000 shall be expended for signal lights at the Assabet river rail trail crossing of Route 85 (at the corner of Giasson Street) in the town of Hudson; provided however, \$225,000 shall be expended for pedestrian safety and roadway improvements for the purpose of reducing excessive vehicular speed along the Dell avenue corridor in the city of Melrose; .....\$13,473,334

6005-0238 For the repair of a stone embankment along the Turkey Hill Run waterway, located at 238 Rockland street in Hingham, that runs under Rockland street and into the Weir river in Hingham .....\$25,000

6033-0592 For construction and reconstruction projects on town and county ways as described in subdivision (a) of clause (2) of section 34 of chapter 90 of the General Laws; provided, however, that all funds appropriated pursuant to this account shall be in addition to all capital funds otherwise allocated or obligated and said appropriation shall not operate to reduce

or replace any capital funds required to be made available for chapter 90 purposes; provided further, that notwithstanding chapter 29 of the General Laws or any other general or special law to the contrary, all funds appropriated herein shall be used exclusively to reimburse chapter 90 capital expenses arising out of prior capital authorizations and that all funds appropriated herein shall be used before using existing capital funds for reimbursements; provided further, that all funds appropriated herein shall be distributed based on the formula used by the highway department to distribute capital funds made available pursuant to chapter 90 in fiscal year 2006; provided further, that a city or town shall comply with the procedures established by the highway department; provided further, that the city or town may appropriate for the projects amounts not in excess of the amount provided to the city or town under this item; provided further, that the appropriation shall be made as an available fund upon approval of the commissioner of revenue pursuant to section 23 of chapter 59 of the General Laws; and provided further, that the commonwealth shall reimburse the city or town under this item within 30 days of receipt by the department of a request for reimbursement from the city or town, which request shall include certification by the city or town that actual expenses have been incurred on projects eligible for reimbursement under this item, and that the work has been completed to the satisfaction of the city or town according to the specifications of the project and in compliance with

applicable law and the procedures established by the  
department .....\$55,000,000

**EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT.**

*Department of Housing and Community Development.*

7004-0097      For economic grants to municipalities; provided further, that not less than \$150,000 shall be expended for improvements to the Stevens library in North Andover; provided, that \$40,825 shall be expended for the Rockland community center; provided further, that \$50,000 shall be expended to the Salisbury historical society to complete a historic building restoration and create a town history museum and visitors center at Parson's corner in Salisbury; provided, further, that not less than \$13,622 shall be expended for repair of the kitchen facilities at Lawrence senior center; provided further, that \$500,000 shall be expended for the Mohawk theatre, subject to a 100 per cent funding match; provided further, that \$16,000 shall be expended for emergency flood remediation in the town of Athol; provided that \$500,000 shall be expended in the city of Peabody for a one time matching funds for the North river flood control project; provided further, that \$1,100,000 shall be expended to the town of Norwood for a one-time matching grant for the elderly population growth project; provided further, that \$40,000 shall be expended to the Woburn redevelopment authority for improvements to an elevator to meet the standards of the Americans with Disabilities Act; provided further, that \$1,500,000 shall be expended for the state

contribution for a recreational complex in the town of Wrentham; provided further, that \$100,000 shall be expended for the renovation of the Bing theatre in Springfield; provided further, that \$125,000 shall be expended for the renovation of municipal infrastructure in the town of Webster; provided further, that \$68,000 shall be expended for the North Adams airport; provided further, that \$200,000 shall be expended for revitalization of the Weymouth landing area in the town of Weymouth; provided further, that \$50,000 shall be expended for an economic development project in the city of New Bedford at the Elco dress factory; provided further, that \$15,000 shall be expended for the WWII monument in the town of Hamilton; provided further, that \$400,000 shall be expended for costs associated with the Tewksbury center expansion project on Chandler street in the town of Tewksbury; provided further, that \$50,000 shall be expended for the destruction of old army bunkers located on the division of fisheries and wildlife land in the town of Hingham; provided further, that \$250,000 shall be expended for new seating in the historic Chevalier auditorium in Medford; provided further, that \$200,000 shall be expended to assist the town of Burlington for the renovation and expansion of the Grand View farm; provided further, that \$50,000 shall be expended for the Cambridge housing authority work force program; provided further, that \$50,000 shall be expended for the destruction of old army bunkers located on Massachusetts highway

department land in the town of Hingham; provided further, that not less than \$1,000,000 shall be expended for Our House Family Learning Center of the Merrimack valley; provided further, that \$75,000 shall be provided to World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee and Greenfield; provided further, that \$250,000 shall be expended for the improvement of recreational sites in the town of West Bridgewater; provided further, that not less than \$2,000,000 shall be expended for the purpose of expanding the groundwater monitoring system in the city of Boston; provided further, that \$50,000 shall be expended for the Amesbury Carriage Alliance in the Amesbury lower milliard to preserve and renovate an existing building into a carriage museum, visitors center and artisans center; provided further, that \$1,430,000 shall be expended for renovations and upgrades for Winthrop recreational areas; provided further, that \$40,000 shall be expended to assist the city of Newton with a smart growth development plan for Newton center; provided further, that \$1,000,000 shall be expended for pollution prevention at the tri-town landfill in Heath; provided further, that \$225,000 shall be expended to the town of Wayland for a generator for the purpose of emergency evacuation; provided further, that \$205,000 shall be expended for the Major Taylor memorial in Worcester; provided further, that \$300,000 shall be expended for the McPherson youth center in the town of Beverly; provided further, that \$200,000 shall be expended

to reconstruct the parks and fields in the town of Medway; provided further, that \$100,000 shall be expended for an economic development project in the town of Braintree; provided further, that \$1,500,000 shall be expended for the Blackstone river bikeway and visitor center including, but not limited to, engineering, design, construction and permitting; provided further, that the department of conservation and recreation shall be responsible for the Blackstone river bikeway and may enter into agreements with local communities, as well as, private non profit organizations for the construction, care and maintenance of the Blackstone river bikeway; provided further, that \$1,600,000 shall be expended for commonwealth contribution funds related to the route 146 connector project in the city of Worcester; provided further, that \$175,000 shall be expended for the Greenwood memorial bathhouse; provided further, that \$280,000 shall be expended for a park renovations at the Municipal youth center in the city of Beverly; provided further, that \$200,000 shall be expended for a matching contribution for the enhancement of recreational sites in the town of Reading; provided further, that \$75,000 shall be expended to the Hyannis Athletic Association for field improvements to McKeon field in Hyannis; provided further that \$75,000 shall be expended to the town of Barnstable J.F.K. statue committee as a one-time matching grant to erect a statue honoring the late President John F. Kennedy at the J.F.K. museum located in the village



of Hyannis; provided further, that \$200,000 shall be expended for the design and construction of a senior center in the town of Hanover; provided further, that not less than \$250,000 be expended for a joint housing rehabilitation project in the city of Gardner and the town of Templeton; provided further, that \$100,000 shall be provided to Lilly library in the Florence section of the city of Northampton for historic preservation, reconstruction, window installation and brick re-pointing and cleaning, the funds to supplement any funds provided by the board of library commissioners; provided further, that \$75,000 shall be expended for repair and renovation of the Danforth building in the town of Framingham; provided further, that \$150,000 shall be expended to the town of Belmont for a one-time matching grant for the construction of a senior citizen center; provided further, that \$200,000 shall be expended for the town of Kingston senior center; provided further, that \$5,000,000 shall be expended for the re-construction of the Manning bowl in the city of Lynn; provided further, that not less than \$250,000 shall be expended for a community action grant associated with improvements to the site of the 1999 Worcester cold storage warehouse fire in the city of Worcester; provided further, that \$40,000 shall be expended for the maintenance and upkeep of Plympton town hall; provided further, that not less than \$100,000 shall be expended for the Worcester county convention and visitor's bureau located in the city of Worcester; provided further,

that \$175,000 shall be expended to the Worcester Educational Development Foundation; provided further, that not less than \$1,000,000 shall be expended for the renovation of the Haverhill stadium and that not less than \$200,000 shall be expended for the renovation of the Cawley stadium in Lowell; provided further, that not less than \$20,000 be provided to the Millville senior center for food service and maintenance equipment; provided further, that \$1,000,000 shall be expended for the demolition, design and reconstruction of the Bellegarde boat house in the city of Lowell upon transfer of care and control of the boat house to the University of Massachusetts Lowell; provided further, that the town of Halifax shall receive not less than \$50,000 for the Monoponsett pond weed; provided further, that \$200,000 shall be expended for the design of a senior center in the town of Plymouth; provided further, that \$400,000 shall be expended for the construction of the Springfield public market; provided further, that no less than \$200,000 shall be provided for brownfield redevelopment projects in the city of Lynn; provided further, that \$200,000 shall be expended for the Central Square theater project in the city of Lynn; provided further, that \$75,000 shall be expended for safety upgrades in the town of Franklin; provided further, that \$100,000 shall be expended for the revitalization of downtown Hingham; provided further that not less than \$100,000 be allocated for the repairs and renovation of the Charles river landing at Watertown square; provided further,

that \$100,000 shall be expended for the design and construction of a permanent bandstand or gazebo on the ground of Sunset lake in the town of Braintree; provided further, that \$500,000 shall be expended for the conversion of Korean War microfilm and all remaining paper records of veterans and members of the Massachusetts national guard to an electronic format to enhance compliance with section 15 of chapter 33 of the General Laws pertaining to the adjutant general maintaining a roster of all veterans by city and town; provided further, that \$160,000 be expended for the Sharon community center to be utilized for the Americans with Disabilities Act compliance projects therein; provided further, that \$100,000 shall be expended for the Hampden senior center; provided further, that \$200,000 shall be expended for the Medway senior center; provided further, that not less than \$100,000 be expended for the planning of design of the Agawam senior center in the city known as the town of Agawam; provided further, that not less than \$50,000 shall be expended for a grant to the town of Wakefield for the purposes of conducting a study to alleviate the parking and public safety problems at the northeast metropolitan regional vocational school, Wakefield high school and the Woodville school; provided further, that \$50,000 shall be expended for repairs to the Hamilton community center in Newton Lower Falls; provided further, that \$100,000 shall be expended for the renovation of St. Anne's for the Maria Quintana family center in the city of

Lawrence; provided further, that \$400,000 shall be expended for the renovation expenses at the East Longmeadow senior center; provided further, that \$60,000 shall be expended for upgrades and improvements at the Abington memorial stadium in Abington; provided further, that not less than \$83,000 shall be expended for Our Father's House in Fitchburg; provided further, that not less than \$100,000 shall be expended to the town of Randolph for capital improvements to the Joseph J. Zapustas arena; provided further, that \$2,000,000 shall be expended for the renovation of the Wallace civic center and planetarium in the city of Fitchburg, contingent on payment of \$1, for a 99 year lease for the facility between the Wallace civic center board of trustees and the commonwealth, acting on behalf of Fitchburg state college; and provided further, that \$25,000 shall be expended for the Braintree councils on aging for structural improvements to meet the standards for the Americans with Disabilities Act .....\$30,361,447

**BOARD OF HIGHER EDUCATION.**

*State Colleges.*

7116-0102      For a matching grant for improvements to Rockwood Field located at Worcester state college; provided, that the match shall be \$1 of private funds for every dollar of state funds raised through alumni contributions; provided, that no funds shall be expended until an equal or greater amount has been raised through alumni contribution and committed by

Worcester State College Foundation for the project; and  
provided further, that the college shall work with the city of  
Worcester .....\$250,000

*Community Colleges.*

7509-0102 For the one-time maintenance on the fields and recreational  
sites at the Mount Wachusett community college .....\$100,000

**EXECUTIVE OFFICE OF PUBLIC SAFETY.**

8000-0051 For the city of Worcester for the Worcester public safety  
complex.....\$2,000,000

*House of Representatives.*

9700-0201 For funding to repair the camera equipment used to  
television legislative sessions of the house of representatives.....\$2,000

SECTION 3. Section 1 of chapter 6 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out, in line 1, the figure "\$135,000" and inserting in place thereof the following figure:- \$140,535.

SECTION 4. Section 2 of said chapter 6, as so appearing, is hereby amended by striking out, in line 1, the figure "\$120,000" and inserting in place thereof the following figure:- \$124,920.

SECTION 5. Section 3 of said chapter 6, as so appearing, is hereby amended by striking out, in line 1, the figure "\$25,000" and inserting in place thereof the following figure:- \$26,025.

SECTION 6. Section 38K of chapter 7 of the General Laws, as so appearing, is hereby amended by inserting after the word "authorities", in line 5, the following words:— and projects requesting funding from the Massachusetts School Building Authority.

SECTION 7. Section 1 of chapter 9 of the General Laws, as so appearing, is hereby amended by striking out, in line 8, the figure "\$120,000" and inserting in place thereof the following figure:- \$124,920.

SECTION 8. Section 26 of said chapter 9, as so appearing, is hereby amended by striking out, in line 7, the word “twelve” and inserting in place thereof the following figure:— 11.

SECTION 9. Said section 26 of said chapter 9, as so appearing, is hereby further amended by striking out, in lines 9 and 10, the words “the Bay State Historical League, one from a list of three nominees submitted by”.

SECTION 10. Section 1 of chapter 10 of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the figure "\$120,000" and inserting in place thereof the following figure:- \$124,920.

SECTION 11. Section 1 of chapter 11 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the figure "\$120,000" and inserting in place thereof the following figure:- \$124,920.

SECTION 12. Section 1 of chapter 12 of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the figure "\$122,500" and inserting in place thereof the following figure:- \$127,523.

SECTION 13. Chapter 15A of the General Laws is hereby amended by striking out section 15E, as so appearing, and inserting in place thereof the following section:-

Section 15E. It is hereby declared to be the policy of the commonwealth to encourage private fundraising by the state university and public colleges and to assist fundraising through a matching program to be known as the public higher education endowment incentive and capital outlay contribution program which shall not result in direct or indirect reductions in the commonwealth's appropriations to the institutions for operations or for capital support.

Subject to appropriation, the commonwealth shall contribute funds to each institution's recognized foundation in an amount necessary to match private contributions in the current fiscal year to the institutions or a foundation's endowment or capital outlay program based on the following matching formula: subject to appropriation, the commonwealth's contribution shall be equal to \$1 for every \$2, or \$1 for the greater number of dollars established by the board of higher education, privately contributed to the university's board of trustees or a foundation; provided, that the maximum total contributions from the commonwealth shall be \$50,000,000; \$1 for every \$2, or \$1 dollar for such greater number of dollars as may be established by the board of higher education, privately contributed to each state college's board of trustees or foundation; provided further, that the maximum total contributions from the commonwealth shall be \$5,000,000 for each institution; \$1 for every \$2, or \$1 for such greater number of dollars as may be established by the board of higher education, privately contributed to each community college's board of trustees or foundation; and, provided further, that the maximum total contributions from the commonwealth shall be \$2,000,000 for each institution.

Private contributions to the endowment or capital outlay program for purposes of these matching grant programs shall be limited to donations to an endowment for

academic purposes including, but not limited to, scholarships and endowed chairs or contributions to a capital outlay program in support of academic facility construction and maintenance approved by the appropriate board of trustees.

The program shall terminate for a university when its foundation has received \$50,000,000 in appropriated matching funds according to the formula prescribed above, or on July 1, 2010, whichever is sooner. The program shall terminate for a state college when its foundation has received \$5,000,000 in appropriated matching funds according to the formula prescribed above or on July 1, 2010, whichever is sooner. The program shall terminate for a community college when its foundation has received \$2,000,000 in appropriated matching funds according to the formula prescribed above or on July 1, 2010, whichever is sooner.

For each institution, the program shall be administered by its foundation, as defined in section 37, in accordance with procedures established by the board of trustees and filed with the house and senate committees on ways and means, the joint committee on higher education, and the secretary of administration and finance no later than 30 days from the time of adoption. Any further amendments to the procedures shall also be filed within 30 days of adoption with the house and senate committees on ways and means, the joint committee on higher education, and the secretary of administration and finance. The procedures shall include a method for each board of trustees to certify to the house and senate committees on ways and means, the joint committee on higher education, and the secretary of administration and finance the actual amount received in private contributions to the endowment or capital outlay program in each fiscal year. The procedures shall also include safeguards for protecting the anonymity of donors who indicate their desire not to be identified. For the state university, the procedures shall also provide that the allocation of all matching funds from the commonwealth shall be subject to prior approval by the president of the university.

SECTION 14. Chapter 21A of the General Laws is hereby amended by inserting after section 7, as so appearing, the following section:-

Section 7B. The chancellor of the University of Massachusetts Amherst in consultation with the secretary of the executive office of environmental affairs and department of geosciences shall appoint a professional geologist to be state geologist. The state geologist shall perform research on the land, mineral, and water resources of the state; coordinate and facilitate research and communication among various agencies, researchers and stakeholders; collect, compile, analyze and preserve data pertaining to the geologic environment; disseminate the findings of such research to the public through maps, reports, and other publications; and, direct the Massachusetts geological survey. The state geologist shall advise all other branches of state and local government, concerning the geologic character of the state and its implications for both economic and scientific needs in conjunction with all existing and future environmental factors relating to the geology of the state. The state geologist shall maintain liaison with federal and other state geological surveys, and academic institutions. The state geologist shall have a term limit of 5 years at which time the appointment can be reviewed, revoked or renewed.

SECTION 15. Section 64 of chapter 29 of the General Laws, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The state treasurer, on behalf of the commonwealth, may contract with an employee to defer a portion of that employee's compensation and may, for the purposes of funding a deferred compensation program for the employee, established in accordance with the United States Internal Revenue Code, the "Code", invest the deferred portion of the employee's income in a life insurance or annuity contract, mutual fund, a bank investment trust, and/or additional investment alternatives available under the program. The treasurer, before making the investment, shall solicit bids from fund managers, investment managers, and insurance companies authorized to conduct business within the commonwealth pursuant to chapter 175, mutual fund managers, and banks, which bids shall be sealed, and opened at a time and place designated by the treasurer. A bid submitted by an insurance company, mutual fund, bank investment trust or other fund manager or investment manager, to fund the deferred compensation program shall, where applicable, clearly indicate the interest rate which shall be paid on the deferred funds, the commissions which will be paid to the salesmen, the load imposed for the purpose of administering the funds, mortality projections, expected payouts, tax implications for participating employees and other information as the treasurer may require. Any contract entered into between an employee and the commonwealth pursuant to this section shall include the information in terms the employee can reasonably be expected to understand.

SECTION 16. Chapter 32 of the General Laws is hereby amended by striking out section 90C3/4, as so appearing, and inserting in place thereof the following section:-

Section 90C3/4. A former state or metropolitan district police officer, retired before July 1, 1992, who has been retired under this chapter or similar provision or earlier law on account of superannuation after having served in the state or metropolitan district police force for a period of not less than 20 years shall have his retirement allowance increased to an amount not exceeding one-half the rate of regular compensation payable to state police officers holding similar positions, at the time of increasing the allowance, in the comparable grade or classification occupied by the former officer at the time of his retirement.

SECTION 17. Section 17 of chapter 37 of the General Laws is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:- The salaries of the sheriffs of the counties of Barnstable, Bristol, Norfolk, Plymouth and Suffolk and of the former counties of Berkshire, Essex, Franklin, Hampden, Hampshire, Middlesex and Worcester shall be a sum equivalent to 95 per cent of the salary of an associate justice of the superior court. The salaries of the sheriffs of the counties of Dukes County and Nantucket shall be a sum equivalent to 75 per cent of the salary of an associate justice of the superior court.

SECTION 18. Section 20 of chapter 44 of the General Laws, as so appearing, is hereby amended by adding the following sentence:- The provisions of the preceding 2 sentences shall not apply to bond premiums received on or before July 31, 2003.



SECTION 19. Section 57 of chapter 59 of the General Laws, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- A real estate tax bill sent out for fiscal year 2008 or any subsequent period pursuant to this section shall contain a statement that there exists a delinquency if any tax, betterment assessment or apportionment thereof, water rate, annual sewer use, or other charge which may constitute a lien is overdue more than 90 days.

SECTION 20. The seventh paragraph of section 57C of said chapter 59, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- A real estate tax bill sent out for fiscal year 2008 or any subsequent period pursuant to this section shall contain a statement that there exists a delinquency if any tax, betterment assessment or apportionment thereof, water rate, annual sewer use, or other charge which may constitute a lien is overdue more than 90 days.

SECTION 21. Section 16 of chapter 62C of the General Laws, as so appearing, is hereby amended by striking out, in lines 18 and 26, the words "number of cigarettes" and inserting in place thereof, in each instance, the following words:- quantity of tobacco products.

SECTION 22. Said section 16 of said chapter 62C, as so appearing, is hereby further amended by striking out, in lines 22 and 25, the word "cigarettes" and inserting in place thereof, in each instance, the following words: - tobacco products.

SECTION 23. Section 1 of chapter 64C of the General Laws, as so appearing, is hereby amended by inserting after the word "commonwealth", in line 6, the following words:- "; tobacco products" shall mean cigarettes, smokeless tobacco, cigars and smoking tobacco.

SECTION 24. Said section 1 of said chapter 64C, as so appearing, is hereby further amended by striking out, in lines 8, 9, 13, 15, 16, lines 20 and 21, lines 24, 28, 31 and 41, the word "cigarettes" and inserting in place thereof, in each instance, the following words:- tobacco products.

SECTION 25. Section 2 of said chapter 64C, as so appearing, is hereby amended by striking out, in lines 1 and 8, the word "cigarettes" and inserting in place thereof, in each instance, the following words:- tobacco products.

SECTION 26. Section 5 of said chapter 64C, as so appearing, is hereby amended by striking out, in lines 3, 7, 8, 11, 13, 17, 19, 25, 26, 37, 38, 43, 45, lines 47 and 48, and in line 50, the word "cigarettes" and inserting in place thereof, in each instance, the following words:- tobacco products.

SECTION 27. Section 2 of chapter 70B of the General Laws, as so appearing, is hereby amended by inserting before the definition of "Advisory board" the following definition:—

“Additional Revenues”, any moneys that are not defined as the dedicated sales tax revenue amount that are appropriated, gifted, granted, pledged, or otherwise made available to the authority by the commonwealth, any local governmental entity, the federal government, not-for-profit organizations, for-profit organizations, or private individuals.

SECTION 28. Said section 2 of said chapter 70B, as so appearing, is hereby further amended by inserting after the definition of “Construction manager” the following definition:—

“Dedicated sales tax revenue amount”, all moneys received by the commonwealth equal to 1 per cent of the receipts from sales, as defined by chapter 64H, and 1 per cent of the sales price of purchases, as defined by chapter 64I, from that portion of the taxes imposed under chapters 64H and 64I as excises upon the sale and use at retail of tangible property or of services, and upon the storage, use or other consumption of tangible property or of services, including interest thereon or penalties, but not including any portion of the taxes that constitute special receipts within the meaning of subsection (b) of section 10 of chapter 152 of the acts of 1997 or any portion of the taxes imposed on the sale of meals as defined in paragraph (h) of section 6 of chapter 64H.

SECTION 29. Section 3C of said chapter 70B, as so appearing, is hereby amended by adding the following 3 paragraphs:—

The commonwealth, subject to appropriation and article 62 of the constitution of the commonwealth, may appropriate, pledge its credit, guaranty, or support the funding of capital construction projects, major reconstruction projects, capital improvements required under the Americans With Disabilities Act, new construction, other improvements, major repairs or renovations, any other projects to conform to federal statutory mandates, or projects specifically authorized and funded from additional revenues by legislation enacted by the general court after July 1, 2004.

The authority shall not be obligated to make any expenditures for any commitments, improvements, repairs, renovations, capital construction projects, major reconstruction projects, capital improvements required under the Americans With Disabilities Act, new construction, other improvements, major repairs or renovations, any other projects to conform to federal statutory mandates, or projects specifically authorized or mandated for which the necessary additional revenues to complete these commitments, improvements, repairs, renovations, capital construction projects, major reconstruction projects, capital improvements required under the Americans With Disabilities Act, new construction, other improvements, major repairs or renovations, or any other projects to conform to federal statutory mandates, have not been made available to the authority by the commonwealth.

Any commitments, improvements, repairs, renovations, capital construction projects, major reconstruction projects, capital improvements required under the Americans With Disabilities Act, new construction, other improvements, major repairs or renovations, any

other projects to conform to federal statutory mandates, or projects specifically authorized or mandated for which the necessary additional revenues to complete these commitments, improvements, repairs, renovations, capital construction projects, major reconstruction projects, capital improvements required under the Americans With Disabilities Act, new construction, other improvements, major repairs or renovations, or any other projects to conform to federal statutory mandates, so authorized or mandated and for which additional revenues have been made available shall be subject to the rules, laws and regulations of the authority.

SECTION 30. Said chapter 70B, is hereby amended by striking out section 5, as so appearing, and inserting in place thereof the following section:—

Section 5. An eligible applicant may submit to the authority a statement of interest which shall be approved by a vote of the applicable local governing body or bodies as set forth and in a form prescribed by the authority, and which shall state what the eligible applicant believes are the deficiencies in said eligible applicant's respective school facilities that meet one or more of the statutory priorities set forth in section 6, 8 and 9 of this chapter or in such additional regulations as the authority may promulgate. Said statement of interest shall be accompanied by such additional forms, documents, and information as the authority shall deem necessary to review the statement. The submission for a statement of interest shall not commit the authority to accept any further application materials, approve an application, or provide a grant or any other type of funding, or place any other obligation or requirement upon the authority. The authority shall notify an eligible applicant if the authority determines that the statement of interest has not met the criteria established in said sections 6, 8, and 9.

If the authority determines that the statement of interest and associated material merits further consideration, the authority may, in its discretion, invite the eligible applicant to apply to the authority for a school facilities grant to meet in part the cost of a school project; but, a city, town, regional school district or independent agricultural and technical school shall not have an entitlement to funds under this chapter except at the discretion of the authority in accordance with this chapter. Application shall mean a series of documents, forms, letters, statements, certifications, plans, studies, drawings, and other data and information required by the authority to be submitted within the deadlines and in the format prescribed by the authority and shall be accompanied or supplemented by drawings, plans, estimates of cost and proposals for defraying the costs or any additional information the authority may require, before construction is undertaken. The authority shall promulgate regulations establishing the procedural steps by which applications must be made and reviewed, and may at any time during the application process determine that the application does not warrant further consideration, pursuant to the priority criteria established in said sections 6, 8, and 9, and by the authority's regulations.

In the event that an eligible applicant undertakes construction before approval is obtained, the eligible applicant shall remain subject to the authority's approval process as if the construction were not undertaken. An eligible applicant who is eligible for aid

under this chapter and establishes extended courses of instruction in a vocational school, as provided in section 37A of chapter 74, and wishes to enlarge or construct a school for the purpose of maintaining extended courses of instruction on a technical institute level shall be eligible to apply for financial assistance in the construction or enlargement of such school in the manner and to the extent provided by this chapter. If the authority invites an eligible applicant to apply, but is unable to approve the application due solely to the limit on total facilities grants established by section 7, at the request of the eligible applicant, the application shall be retained by the authority for 1 year and reviewed in the year immediately following the year of the application; provided that in said review, the project shall be ranked and evaluated using the priorities established by section 8 and if the application is not approved by the authority during the review, the applicant shall be required to submit a new application; provided, further, that the authority shall require a new application from an applicant seeking to make a substantial change in scope of the project which is the subject of the application subsequent to disapproval by the authority.

SECTION 31. Section 6 of said chapter 70B, as so appearing, is hereby amended by striking out, in line 59, the words “to which such city or town may be entitled”.

SECTION 32. Said section 6 of said chapter 70B, as so appearing, is hereby further amended by striking out, in line 69, the words “to which such city, town or regional school may be entitled”.

SECTION 33. Section 9 of said chapter 70B, as so appearing, is hereby amended by adding at the end thereof the following:—

(d) A city, town, regional school district or independent agricultural and technical school shall not have entitlement to funds under this chapter except at the discretion of the authority in accordance with this chapter.

SECTION 34. Section 15 of said chapter 70B, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:—

(a) In the event that an eligible applicant sells or leases an assisted structure or facility, or a portion of that structure or facility, on account of which it is receiving grant payments for an approved school project or, in the case of an approved school project approved on or after July 1, 2004, on account of which it has received at least 1 grant payment in the preceding 20 years, under this chapter or under chapter 645 of the acts of 1948, the sale or lease of the assisted structure or facility, or portion of that structure or facility, shall be for no less than fair market value as determined by independent appraisal, unless the eligible applicant receives prior written approval from the authority to do otherwise, and the proceeds from the sale or lease shall be divided between the authority and the general funds of the applicable eligible applicant in proportion to the commonwealth's and authority's prior investments in the assisted structure or facility under this chapter or said chapter 645, as applicable. In the case of an approved school project approved before July 1, 2004, the authority's share of the proceeds shall reduce the balance of outstanding grant payments that would otherwise be payable except for this section and shall not

exceed that amount. An eligible applicant which sells, leases or otherwise removes from use by the eligible applicant as a schoolhouse an approved school project on account of which it is receiving grant payments or, in the case of an approved school project approved on or after July 1, 2004, on account of which it has received at least 1 grant payment in the preceding 20 years, under this chapter or under said chapter 645, shall report the sale, lease or removal to the authority in the form and manner and within the time prescribed by the authority. The authority may issue regulations to recapture commonwealth and authority assistance for an approved school facilities projects for school buildings that are removed from service.

SECTION 35. Section 19 of said chapter 70B, as so appearing, is hereby amended by striking out, in line 2, the words “within 30 days of” and inserting in place thereof the following words:— no later than 14 days before.

SECTION 36. Chapter 90 of the General Laws is hereby amended by inserting after section 32G the following section:-

Section 32G1/2. The registrar shall promulgate rules and regulations relative to the certification and operation of advanced driver training programs offered within the commonwealth. No person or entity shall engage in the business or provide instruction in an advanced driver training program without certification from the registrar pursuant to such rules and regulations. The registrar may refuse to issue such certification to any individual or entity if the individual or any employee of an entity has: (a) made a material false statement or concealed a material fact in connection with a certification application; (b) has been the holder of a driving school or driving school instructor's license issued pursuant to section 32G that was revoked or suspended by the registrar; (c) has been convicted of a felony, or any crime involving violence, {fraud}, {perjury} dishonesty, deceit, indecency, degeneracy, or moral turpitude; or (d) if the registrar determines that any individual or entity had failed to furnish satisfactory evidence of good character, reputation or fitness.

SECTION 37. Section 51M of chapter 90 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding the following paragraph:—  
Notwithstanding any general or special law to the contrary, no building or structure for the operation of such business or system shall be newly constructed within 1,000 feet of a residential dwelling until 4 months after the completion of a traffic study by the effected municipality in coordination with the Massachusetts Port Authority and an environmental impact review in accordance with section 62B of chapter 30 has been completed.

SECTION 38. Section 18 of said chapter 118G, as so appearing, is hereby amended by adding the following subsection:-

(q) Within the Medical Assistance Trust Fund as established in section 2QQQ of chapter 29, there shall be a MassHealth provider payment account, administered by the secretary of health and human services. Subject to the availability of federal financial participation, funds may be expended from this account for supplemental Medicaid

payments to qualifying providers pursuant to an approved state plan or federal waiver. All Title XIX federal financial participation revenues generated by hospital payments funded by the Medical Assistance Trust Fund, whether the payments are made by the division of health care finance and policy or the executive office of health and human services, shall be credited to the General Fund.

SECTION 39. Section 14 of chapter 185 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the words “seventy-five and forty-seven hundredths percent” and inserting in place thereof the following words:— 81.57 per cent.

SECTION 40. Section 9A of chapter 185C of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words “seventy-five and forty-seven hundredths percent” and inserting in place thereof the following words:— 81.57 per cent.

SECTION 41. Section 22 of chapter 211 of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The chief justice shall receive a salary of \$151,239 and each associate justice shall receive a salary of \$145,984 and the chief justice and each associate justice shall annually receive from the commonwealth upon the certificate of the chief justice the amount of expenses incurred by each of them in the discharge of his duties.

SECTION 42. Section 2 of chapter 211A of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The chief justice shall receive a salary of \$140,358 and each associate justice shall receive a salary of \$135,087 and the chief justice and each associate justice shall annually receive from the commonwealth upon the certificate of the chief justice the amount of expenses incurred by each of them in the discharge of his duties.

SECTION 43. Section 6 of chapter 211A of the General Laws, as so appearing, is hereby amended by striking out, in lines 9 and 10, the words “seventy-nine and nine-tenths percent” and inserting in place thereof the following words: 81.57 per cent.

SECTION 44. Section 4 of chapter 211B of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out the first 3 paragraphs and inserting in place thereof the following 3 paragraphs:-

The salaries of the justices of the trial court shall be paid by the commonwealth. Each associate justice shall receive a salary of \$129,694.

The chief justice of the several departments shall receive a salary of \$135,124.

The chief administrative justice shall receive a salary of \$140,358.

SECTION 45. Section 35A of chapter 217 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 and 3, the words “seventy-five and forty-seven hundredths percent” and inserting in place thereof the following words:- 81.57 per cent.

SECTION 46. Section 53 of chapter 218 of the General Laws, as so appearing, is hereby amended by striking out, in lines 9 and 10, the words “seventy-five and forty-seven hundredths per cent” and inserting in place thereof the following words:- 81.57 per cent.

SECTION 47. Section 58 of said chapter 218, as so appearing, is hereby amended by striking out, in line 89, the words “seventy-five and forty-seven hundredths percent” and inserting in place thereof the following words:- 81.57 per cent.

SECTION 48. Section 79 of said chapter 218, as so appearing, is hereby amended by striking out, in line 2, the words “seventy-five and forty-seven hundredths percent” and inserting in place thereof the following words:- 81.57 per cent.

SECTION 49. Section 94 of chapter 221 of the General Laws, as so appearing, is hereby amended by striking out, in lines 18 and 19, the words “seventy-five and forty-seven hundredths percent” and inserting in place thereof the following words: - 81.57 per cent.

SECTION 50. Section 4 of chapter 703 of the acts of 1963 is hereby amended by striking out clause (n), as appearing in section 8 of chapter 800 of the acts of 1985, and inserting in place thereof the following clause:—

(n) to invest any funds held by it pending disbursement in such investments as may be lawful for fiduciaries in the commonwealth.

SECTION 51. Section 10 of chapter 152 of the acts of 1997 is hereby amended by striking out subsection (c), as most recently amended by section 64 of chapter 352 of the acts of 2004 and inserting in place thereof the following subsection:—

(c) In order to increase the marketability of special obligation bonds described in section 11 and any other bonds issued by the commonwealth which are payable from amounts held in the Convention Center Fund and thereby ensure the issuance of such bonds at the lowest possible cost to the commonwealth, the special receipts deposited in the Convention Center Fund in accordance with this subsection are hereby impressed with a trust for the benefit of the owners from time to time of such bonds and special receipts shall be applied by the state treasurer without further appropriation to the payment of principal, including sinking fund payments and premium, if any, and interest on such bonds, to the maintenance of, or provisions for, the Capital Reserve Fund described in said section 11, to the payment of the costs of issuance of such bonds and to the payment of the cost of, and the satisfaction of the obligations of the commonwealth under, any surety bond, insurance policy or other form of credit enhancement required or provided for in any trust or security agreement or credit enhancement agreement entered into pursuant to this act to secure such bonds. The state treasurer, with the concurrence of the secretary of administration and finance, shall determine that sufficient amounts are held in the Convention Center Fund to meet debt service payments and compliance with any applicable restrictions relating thereto including, without limitation, any coverage requirements contained in any such trust or security agreement or credit enhancement agreement. If the state treasurer and the secretary of administration and finance determine

that the balance of the Convention Center Fund exceeds the amount necessary to satisfy the requirement of sufficiency, then the Authority may make expenditures from the Convention Center Fund, in an amount not to exceed such surplus, for the following purposes: (i) to pay costs, not exceeding \$50,000,000, of the heating, ventilating and air conditioning systems for the project if the Authority deems it in the best interest of the Authority to fund such costs in whole or in part from amounts held in the Convention Center Fund rather than through a lease or lease-purchase agreement for such systems; (ii) to pay start-up costs, not exceeding \$2,000,000, of the project; (iii) to pay costs, not exceeding \$2,000,000, of engineering and construction of surface parking facilities within the convention center development area as defined in section 2 without completion of an antecedent facility study and engineering study as provided in section 38N of chapter 190 of the acts of 1982; (iv) to provide for, and maintain, any reserve for capital and current expenses of the project and other facilities of the Authority as the Authority shall deem necessary to appropriate; provided, however, that the Authority shall receive written approval from the secretary of administration and finance; (v) to defray the net cost of operations, at an amount not to exceed \$23,000,000 in Fiscal Year 2004 and that the same amount in each fiscal year thereafter, of the Authority as defined in section 32 of said chapter 190.

SECTION 52. The second sentence of section 210 of chapter 184 of the acts of 2002 is hereby amended by adding the following words:— and, until the University and the commission mutually agree to such compensation, the commission shall remain in occupancy and possession of the taken parcel.

SECTION 53. Item 2100-2012 of chapter 236 of the acts of 2002 is hereby amended by striking out, in lines 56 and 57, the words “that \$1,200,000 shall be expended for capital repairs and improvements ” and inserting in place thereof the following words:— “the department of conservation and recreation may grant to a lessee procured in accordance with the authorization of section 30 of chapter 88 of the acts of 2001 up to \$900,000 as a reimbursement grant on a \$2 to \$1 ratio for every dollar invested by the lessee in improvements and replacements .

SECTION 54. Chapter 149 of the acts of 2004 is hereby amended by striking out section 232 and inserting in place thereof the following section:-

Section 232. Section 1A of chapter 152 of the acts of 1997 is hereby amended by inserting after item 1100-7985 the following item:

1599-0018 For a grant to the town of Wakefield for the cleanup of Lake  
Quannapowitt, its shoreline, bank, buffer zone, and land in  
the vicinity thereof .....\$500,000

SECTION 55. Subsection (b) of section 279 of said chapter 149 is hereby amended by striking out the second paragraph and inserting in place thereof following paragraph:—

No proposal to lease the Allied Veterans rink in the city of Everett shall be considered responsive, nor shall it be accepted, without a proposal by the same offeror to lease the Cronin rink in the city of Revere, except that a proposal by the city of Everett to lease the



Allied Veterans rink, without a proposal to lease the Cronin rink, shall be considered responsive and may be accepted.

SECTION 56. The last paragraph of section 363 of said chapter 149 is hereby amended by striking out, in line 4, the word "November 24, 2004" and inserting in place thereof the following word:- June 30, 2007.

SECTION 57. Paragraph (a) of section 364 of said chapter 149 is hereby amended by striking out, in line 18, the word "April 1, 2005" and inserting in place thereof the following word:- October 1, 2006.

SECTION 58. Chapter 208 of the acts of 2004 is hereby amended by striking out section 47 and inserting in place thereof the following section:—

Section 47. (a) As of July 1, 2004, the Massachusetts School Building Authority shall succeed to all powers previously granted to the board of education and the department of education with respect to projects on the list submitted under section 45. As soon as practicable following July 1, 2004, the commissioner of education shall transfer to the Authority all records and documents which immediately before that date are in the custody of the board of education or the department of education and which relate to or are maintained for the purpose of the school building assistance program.

(b) The amendments made in this act to chapter 70B of the General Laws shall not affect the schedule of payment for any approved project on the list submitted under section 45 receiving payment as of July 1, 2004, except as specifically provided in this section and in sections 48 to 53, inclusive, of this act. The reimbursement rate paid by the Authority for approved project costs for projects on the list submitted under section 45 shall not be altered from the reimbursement rate under chapter 70B of the General Laws as in effect before the effective date of this act, section 329 of chapter 159 of the acts of 2000 as in effect before July 1, 2004, and section 668 of chapter 26 of the acts of 2003 in effect before July 1, 2004 as a result of the amendments made by this act to said chapter 70B.

(c) Grants for the Authority's share of approved costs of projects on the list submitted under section 45 shall be payable by the Massachusetts School Building Authority rather than by legislative appropriations.

(d) For projects which, before July 1, 2004, were approved by the board of education under either section 6 of chapter 70B of the General Laws, as in effect prior to July 1, 2004, or chapter 645 of the acts of 1948 and for projects on the list submitted under section 45 with respect to which bonds or long-term indebtedness shall have been issued before July 1, 2004, the final approved cost of the project shall include, only to the extent eligible for reimbursement and allowed by the department of education and board of education (i) the eligible interest payable on the authority's share of bonds or long-term indebtedness issued to finance the project, (ii) the eligible interest payable on the authority's share of temporary notes issued to finance the project on or after July 1, 2004 but before receipt of any funding from the authority, and (iii) may, in the discretion of the

authority, include eligible principal of any bonds issued before July 1, 2004. For projects on the list submitted by the department of education under section 45 and not approved by the board of education under either section 6 of chapter 70B of the General Laws, as in effect before July 1, 2004, or chapter 645 of the acts of 1948 for which no bonds or long-term indebtedness have been issued before July 1, 2004, approved project costs shall include the authority's share of eligible interest on temporary notes issued to finance the project, paid before the receipt of a grant, but shall not include interest or principal on bonds or long-term indebtedness.

(e) Grants for approved projects shall be paid under a disbursement schedule approved by the authority.

(f) In no event shall the authority be responsible for paying or reimbursing any costs, including but not limited to, project costs, interest or principal on any notes, bonds or long-term indebtedness that were disallowed by the department of education or board of education under any statute, rule, regulation, policy, or established practice.

SECTION 59. Section 2A of chapter 290 of the acts of 2004 is hereby amended, in item 0330-2223, amended by striking out the words "provided further, that if said Lowell court house project is built as a design/build, finance and operate project, so-called, the division of capital asset management and maintenance shall issue and complete a request for proposals in connection with such project no later than December 31, 2004".

SECTION 60. Subsection (2) of section 19 of said chapter 290 is hereby amended by inserting before the first sentence the following sentence:—

Notwithstanding any general or special law to the contrary, the commissioner may select a site for the project and may acquire the site by purchase or gift, or by eminent domain in accordance with chapter 79 of the General Laws, and the requirements of section 5 of chapter 189 of the acts of 1998 shall not apply to the acquisition of the site regardless of the source of funds for the project.

SECTION 61. The first paragraph of paragraph (a) of subsection (3) of said section 19 of said chapter 290 is hereby amended by adding the following sentence:— Developers pre-qualified on or before February 22, 2005 shall remain pre-qualified after February 22, 2005 and shall be allowed to submit timely proposals, in accordance with paragraph (b).

SECTION 62. The first sentence of the second paragraph of paragraph (b) of subsection 3 of said section 19 of said chapter 290 is hereby amended by striking out the words "within 30 days after the designation of the selected qualified developers."

SECTION 63. The second sentence of said second paragraph of said paragraph (b) of said subsection 3(b) of said section 19 of said chapter 290 is hereby amended by striking out the words "which shall be within 90 days of the issuance of the requests."

SECTION 64. The fourth sentence of the third paragraph of said paragraph (b) of said subsection 3 of said section 19 of said chapter 290 is hereby amended by striking out the words “within 60 days of the receipt of proposals from the qualified developers.”

SECTION 65. The fifth sentence of the third paragraph of said paragraph (b) of said subsection 3 of said section 19 of said chapter 290 is hereby amended by striking out the words “Within 5 days of the selection of the developer” and inserting in place thereof the words “Not later than 20 days before the execution of the development agreement”.

SECTION 66. Subsection 4 of said section 19 of said chapter 290 is hereby amended by adding the following clause: —

(p) provide for the assurance of labor harmony during all phases of development, including construction, reconstruction and capital and routine maintenance and shall provide adequate remedies to address the developer’s failure to maintain labor harmony which shall include, but not be limited to, assessment of liquidated damages and contract termination.

SECTION 67. Clause (i) of subsection 5 of said section 19 of said chapter 290 is hereby amended by inserting, after the word “excluding”, the following words “site acquisition and other pre-development costs,”

SECTION 68. Said clause (i) of said subsection 5 of said section 19 of said chapter 290 is hereby further amended by striking out the words “85 million” and inserting in place thereof the following words:— 100 million or such higher amount as the secretary of administration and finance may approve in writing.”

SECTION 69. Paragraph (c) of subsection 9 of said section 19 of said chapter 290 is hereby amended by adding the following paragraph:—

The division may dispose of all or part of the existing court facilities in the city of Lowell to the developer in accordance with such terms as the division may determine to include in the request for proposals described in paragraph (b) of subsection 3 of section 19.

SECTION 70. Said chapter 290 is hereby further amended by adding the following section:—

Section 21. Notwithstanding sections 40E through 40F½, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the division may: (1) transfer the use of, and the responsibility for maintenance of any court facilities vacated as a result of the construction of new facilities referenced in section 2A of this chapter to one or more state agencies; or (2) sell, lease for a term not to exceed 99 years, transfer or otherwise dispose of any such vacated court facilities to any party selected through a competitive process on such terms as the commissioner shall determine.

SECTION 71. Section 4 of chapter 436 of the acts of 2004 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

There shall be a special commission to examine the homeowner insurance market in large share territories, as defined in section 1 of chapter 175C. The commission shall investigate the availability and affordability of property insurance; the relevant rate driving factors including, but not limited to, insurance fraud, types of loss costs and their frequency, the cost and availability of reinsurance; the use of storm damage prediction data; the creation and potential benefit of a state-run catastrophic reinsurance program; and the overall competitiveness of the homeowners market in large share territories. The commission shall make any recommendations for legislative or regulatory action on those matters, with the clerks of the house and senate before November 1, 2006.

SECTION 72. Item 0321-1518 of said section 2 of said chapter 45 is hereby amended by striking out the words “; provided, however, that said revenues credited to this account shall only be those revenues in excess of the amounts for the fees collected in fiscal year 2005 as calculated on a monthly basis”.

SECTION 73. Item 0321-1520 of section 2 of chapter 45 of the acts of 2005 is hereby amended by striking out the words “; provided, that not more than \$500,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2006”.

SECTION 74. Item 0330-0410 of section 2 of said chapter 45 is hereby amended by striking out the words “provided further, that not less than \$50,000 shall be expended for Quabbin Mediation in Athol” and inserting in place thereof the following words:— provided further, that not less than \$133,000 shall be expended for Quabbin Mediation in Athol.

SECTION 75. Item 0340-0100 of said section 2 of said chapter 45 is hereby amended by striking out the words “provided further, that not less than \$150,000 shall be expended for the purpose of a targeted control substance interdiction pilot program to be administered jointly by the district attorney for Suffolk county and the chiefs of police for the city of Revere and the town of Winthrop”.

SECTION 76. Item 1410-0010 of said section 2 of said chapter 45 is hereby amended by adding the following words:— provided further, that not less than \$80,000 shall be obligated for a contract with the United Veterans of America, Inc. in the city of Pittsfield; provided further, that \$18,500 shall be provided for repairs to the Honor Roll Memorial in the town of Southbridge; provided further, that \$25,000 shall be expended to the Ware Veterans’ Memorial Park in the town of Ware; and provided further, that not less than \$112,000 shall be provided for the Korean War Memorial in the city of Worcester.

SECTION 77. Item 1410-0012 of said section 2 of said chapter 45, is hereby amended by striking out the figure “\$84,879” and inserting in place thereof the following figure: — “\$109,879”

SECTION 78. Said item 1410-0012 of said section 2 of said chapter 45 is hereby amended by adding the following words:— “provided further, that not less than \$82,757 shall be obligated for a contract with the Veterans Northeast Outreach Center in the city of Haverhill;”.

SECTION 79. Item 2000-0100 of said section 2 of said chapter 45 is hereby amended by adding the following words: — provided further, that not less than \$155,000 shall be expended and not less than \$60,325 provided as in-kind services toward the completion of the agreement with the U.S. Army Corps of Engineers of an ongoing environmental investigation of the Blackstone river including special focus on Fisherville pond in Grafton and Rice City pond in Uxbridge; provided further, that \$300,000 shall be expended to the town of Barnstable to secure a parcel of land referred to as Freezer Point in Barnstable harbor; provided further, that \$150,000 shall be expended to the town of Dennis to enhance the Sesuit creek and watershed ecosystem from Cape Cod bay to Scargo lake; provided further, that \$250,000 shall be expended for the dredging of the Aberjona river in the town of Winchester”.

SECTION 80. Item 2000-0100 of said section 2 of said chapter 45 is hereby further amended by striking out the words "for Salisbury Beach" and inserting in place thereof the following words:- as a grant to the town of Salisbury."

SECTION 81. Item 2030-1000 of said section 2 of said chapter 45 is hereby amended by striking out the words “provided further, that \$100,000 shall be expended for the cost of patrols performed by environmental law enforcement officers within properties controlled by the division of state parks and recreation” and inserting in place thereof the following words:— provided further, that \$150,000 shall be expended for the cost of patrols performed by environmental law enforcement officers within properties controlled by the division of state parks and recreation.

SECTION 82. Said item 2030-1000 of said section 2 of said chapter 45 is hereby further amended by striking out the words “that the department shall” and inserting in place thereof the following words:— not less than \$50,000 shall be expended to.

SECTION 83. Item 2200-0100 of said section 2 of said chapter 45 is hereby amended by inserting after the words “Lake Webster” the following words:— provided further, that not less than \$250,000 shall be expended to the town of Hopedale for a comprehensive study, including a management plan, for the restoration and maintenance of Hopedale Pond along the Mill River;

SECTION 84. Item 2300-0100 of said section 2 of said chapter 45 is hereby amended by adding the following words:- ; provided further, that \$50,000 in matching funds shall be provided to the national marine life center for wetland restoration.

SECTION 85. Item 2310-0200 of said section 2 of said chapter 45 is hereby amended by striking out the words provided further, that \$50,000 in matching funds shall be provided to the National Marine Life Center for wetland restoration.

SECTION 86. Said item 2310-0200 of said section 2 of said chapter 45 is hereby further amended by adding the following words:— provided further, that \$50,000 shall be expended for the town of Holland to address invasive weeds and sediment;

SECTION 87. Said item 2330-0100, of said section 2 of said chapter 45 is hereby amended by striking out the words “and provided further, that funds shall be expended for the School for Marine Science and Technology for research to minimize the economic impact of new fisheries management regulations and shall not be reduced from fiscal year 2005 except in proportion to adjustments consistent with the department’s budget adjustment”; and inserting in place thereof the following words:— provided further, that funds shall be expended for the School for Marine Science and Technology for research to minimize the economic impact of new fisheries management regulations and shall not be reduced from fiscal year 2005 except in proportion to adjustments consistent with the department’s budget adjustment; and provided further, for the purpose of paying for lab costs and extra personnel wages that were incurred during the recent Red Tide event and to provide for a future Red Tide event.

SECTION 88. Item 2800-0100 of said section 2 of said chapter 45 is hereby amended by striking out the words "provided further, that not less than \$100,000 shall be expended within thirty days of receipt of said funds, for the maintenance of the facility and animal upkeep of the mounted unit in the Blue Hills Reservation, which are not subject to said reimbursement to the department;" and inserting in place thereof the following words:- provided further, that not less than \$100,000 shall be expended within thirty days of receipt of said funds for the sole purpose of restoring, operating, maintaining and ongoing support of the department of conservation and recreation park rangers mounted unit in the Blue Hills Reservation, existing as of January 1, 2004, which shall be located and operated from the stable and adjacent facilities in the Blue Hills Reservation; provided further, that the Secretary of the Executive Office of Environmental Affairs is hereby directed to request and obtain the return of all animals, equipment, including tack and trailers, and personnel of the departments park rangers mounted unit within their control, custody, and possession as of January 1, 2004; provided further, that not later than December 30, 2006 the department shall file a report with the house and senate committees on ways and means detailing the actual expenditure of funds for the maintenance of the mounted unit in the Blue Hills Reservation;

SECTION 89. Item 2800-0200 of said section 2 of said chapter 45 is hereby amended by inserting after the words “Forest Park Zoo” the following words: “provided further, that \$2,500,000 shall be expended for capital expenses to the Commonwealth Zoological Society; provided further, that \$250,000 shall be expended for the Buttonwood Park Zoological Society for a playground for children with disabilities and for other purposes at the Buttonwood Park Zoo in the city of New Bedford”.

SECTION 90. Item 4000-0112 of said section 2 of said chapter 45 is hereby amended by inserting after the words “Southwick Recreation Center, Inc.” the following words:— ; provided further, that not less than \$250,000 shall be expended to fund a historic preservation of the Levi Standish House in order to support a greater YWCA presence in

Southeastern Massachusetts; provided further, that \$150,000 shall be expended for construction costs at the Abilities Unlimited's Kamp for Kids program in the city of Westfield."

SECTION 91. Item 4000-0600 of said section 2 of said chapter 45 is hereby amended by adding the following words:— ; provided further, that in fiscal year 2006, the division of health care finance and policy shall adjust rates for providers of adult day care by no less than \$2,000,000 in the aggregate, which shall be over and above any previously authorized rate increase.

SECTION 92. Item 4180-0100 of said section 2 of said chapter 45 is hereby amended by inserting at the end thereof the following:- "and provided further, that \$25,000 shall be expended for maintenance uses at Malone park of the Chelsea Soldiers' Home."

SECTION 93. Item 4400-1000 of said section 2 of said chapter 45 is hereby amended by adding the following words:- ; provided further, that \$100,000 shall be expended for the Horizon Housing Program located in Mattapan; and provided further, that \$25,000 shall be expended for the Pettengill House of Salisbury.

SECTION 94. Item 4403-2120 of said section 2 of said chapter 45 is hereby further amended by adding the following words:— ; provided further, that not less than \$500,000 shall be expended for Playspace Programs operated by Horizons for Homeless Children in family shelters; and provided further, that not less than \$500,000 shall be expended for the First Stop Homelessness Prevention Program.

SECTION 95. Said item 4403-2120 of said section 2 of said chapter 45 is hereby amended by inserting after the words "provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department;" the following words:- "provided further, that shelter benefits received under the preceding proviso shall not render a family ineligible under any regulation providing that a family who previously received shelter is ineligible for further shelter benefits for a period of 12 months; provided further, that families receiving such shelter benefits who are found not to be eligible for continuing shelter benefits shall be eligible for aid pending a timely appeal pursuant to section 16 of chapter 18 of the General Laws;.

SECTION 96. Item 4510-0100 of said section 2 of said chapter 45 is hereby amended by adding the following words:- ; provided further, that \$158,000 shall be expended for the Haitian Multi-Service Center; provided further, that \$100,000 shall be expended for Massachusetts Cervical Cancer Commission; provided further, that \$50,000 shall be expended for youth services at the youth center in Uxbridge; provided further, that \$40,000 shall be expended for the Dismas House at the Worcester County House of Correction; and provided further, that \$120,000 shall be expended for a study for home

and community based services and an economic profile of individuals and families with neurologically and physically disabled adults under 65; and provided further, that said study shall be one-time in nature and shall not result in any annualization in fiscal year 2007.

SECTION 97. Item 4510-0150 of said section 2 of said chapter 45 is hereby amended by adding the following words:- provided further, that \$1,500,000 shall be expended to the Massachusetts League of Community Health Centers for the purchase and implementation of electronic medical records; and provided further, that said funds shall be matched with private or federal funds.

SECTION 98. Item 4512-0200 of said section 2 of said chapter 45 of is hereby amended by inserting after the words “personnel-related costs” the following words:— provided further, that the commissioner of public health shall ensure that the funding is allocated in a manner that reflects the need among demographic groups; provided further, that the commissioner of public health shall ensure that the funding is allocated for the purpose of a comprehensive, accessible continuum of substance abuse treatment and prevention programs, which shall include, but not be limited to, acute treatment services with options for extended duration beyond 3 to 5 days, post-detox step-down services up to 30 days, including 24-hour services with beds, comprehensive adolescent services including stabilization and structured outpatient addiction programs with shelter and transitional services, residential and ambulatory services for adults and youth, and prevention programs; provided further, that there shall be a particular focus on increasing the capacity to serve individuals without insurance, or, if there are no other payers for needed services, on individuals within the court system or exiting correctional facilities and who are in need of treatment; provided further, that \$8,000,000 shall be expended for an increase of \$20 in the daily unit rate for currently licensed recovery home beds while maintaining current capacity; provided further, that not less than \$2,250,000 shall be expended to provide for one-time startup costs for three sobriety high schools in the following regions of the commonwealth: greater Boston, greater Springfield and the north shore; provided further, that said costs shall include, but not be limited to, personnel costs such as salaries, and operating costs such as the lease of the schools, the renovation of the schools, furniture, books and desks; provided further, that not less than \$1,500,000 shall be expended to establish a 25 bed program for crisis stabilization services for 13-18 year olds with the capacity to medically monitor for alcohol and drug use related withdrawal symptoms and co-occurring mental health issues; provided further, that \$1,500,000 be expended for substance abuse and mental health pilot programs in houses of correction in Hampden county, Norfolk county, Middlesex county and Barnstable county; provided further, that one counselor shall be assigned for every two hundred inmates within each facility; provided further, that said pilot programs shall report upon the progress of the program and the rate of recidivism bi-annually to the joint chairpersons of the mental health and substance abuse committee and to the chairpersons of the house and senate committee on ways and means; provided further, that not less than \$1,000,000 shall be provided to the Essex county district attorney to develop a pilot program for non-violent offenders in a non-correctional locked down substance abuse treatment facility; provided further, that said offenders agree to enter said treatment facility and complete treatment



and pay restitution for any crimes committed on the condition that their arraignment be held in abeyance; provided further, that other district attorneys may utilize said program upon mutual agreement of all parties; provided further, that not less than \$750,000 shall be expended for CasaStart, a comprehensive program designed to target youth and families at risk for crime and drug involvement; provided further, that not less than \$400,000 shall be expended to fund 10 beds through the CAB program in conjunction with the H.E.A.T. program at the Woburn District Court; provided further, that not more than \$150,000 shall be expended for the Hampden county sheriff to design and operate an innovative residential program for recently released female offenders in the Springfield area; provided further, that not less than \$149,990 shall be expended for Casa Esperanza; and provided further that \$100,000 shall be expended for the prevention of substance abuse in the town of Saugus.

SECTION 99. Item 4512-0500 of said section 2 of said chapter 45 is hereby amended by adding the following words:— provided further, that \$750,000 shall be expended for the Forsyth Institute's Center for Children's Oral Health to fund a school-based demonstration project to offer preventive oral health care to children in high need areas including Boston, Lynn and Hyannis; and provided further, that not less than \$100,000 be expended for the Caring Health Center in the city of Springfield for costs associated with providing dental care to the underprivileged in that city and greater Springfield

SECTION 100. Item 4800-0038 of said section 2 of said chapter 45 is hereby amended by adding the following words:— provided further, that not less than \$225,000 shall be expended for the Just-A-Start Teen Living Program and Young Parent's Education Program; and provided further, that not less than \$187,000 shall be expended for the establishment and operation of a Bristol county child advocacy center to be administered by the advisory board of the Bristol county child advocacy center

SECTION 101. Item 5047-0001 of said section 2 of said chapter 45 is hereby amended by adding the following words:— ; and provided further, that not less than \$253,716 shall be expended for emergency mental health services on Martha's Vineyard and Nantucket.

SECTION 102. Item 5920-2000 of said section 2 of chapter 45 is hereby amended by adding the following words:— ; provided further, that not less than \$85,000 shall be provided to Greater Marlboro Programs Inc..

SECTION 103. Item 6010-0001 of said section 2 of said chapter 45 is hereby amended by adding the following words:- ; and provided further, that \$100,000 shall be expended for the SCM Community Transportation organization.

SECTION 104. Item 7003-0702 of said section 2 of said chapter 45 is hereby amended by adding the following words:- ; and provided further, that \$1,250,000 shall be expended for the 1:1 Wireless Initiative at the New Boston Pilot Middle School; provided further, that not less than \$200,000 shall be expended for a pilot program to provide employment training and job placement by the Center for Adaptive Learning and

Programs; provided further, that \$250,000 shall be expended for the Metro West/495 Corridor Partnership, as successor to the I-495 Technology Initiative; provided further, that the contribution of said funds shall be matched by contributions from private entities equal to 1 times the expenditures from this item; and provided further, that \$39,999 shall be expended for Self Esteem Boston for the Skills For Success Facilitator Qualification and Group Leader Training Programs to upgrade the skills of group leaders who conduct groups for at-risk populations in the greater Boston area; provided further, that not less than \$150,000 shall be expended for Barn-Raising.org in the town of Wayland.

SECTION 105. Item 7004-0099 of said section 2 of said chapter 45 is hereby amended by striking out the words:— “provided further, that \$100,000 shall be expended for the design phase of the Pembroke Council of Aging” and inserting in place thereof the following words:— provided further, that \$100,000 shall be expended for the design, construction and renovations of the Pembroke Council of Aging.

SECTION 106. Said item 7004-0099 of said section 2 of said chapter 45 is hereby further amended by adding the following words:- ; provided further, that \$100,000 shall be expended for the Partners for Community Corporation; provided further, that \$100,000 shall be expended for the Puerto Rican Cultural Center in Springfield; provided further, that \$85,000 shall be expended for the operation and management of the Homeowner Options for Massachusetts Elders program; and provided further, that not less than \$100,000 shall be provided to Housing Families, Inc. of Malden for providing educational support programming for homeless children through the Children and Family Program

SECTION 107. Item 7004-9024 of said section 2 of said chapter 45 is hereby amended by striking out the words “ ; provided further, that the costs of administration shall not exceed 6 per cent of the appropriation provided in this item; provided further, that the 6 per cent shall include, but not be limited to, all expenditures which may be made by the department to conduct or otherwise contract for rental voucher program inspections.

SECTION 108. Said item 7004-9024 of said section 2 of said chapter 45 is hereby further amended by striking out the words “; provided further, that ceiling rents shall not be enforced by the department”.

SECTION 109. Said item 7004-9024 of said section 2 of said chapter 45 is hereby further amended by striking out the words “; provided further, that ceiling rents shall not be enforced by the department.”

SECTION 110. Item 7007-0900 of said section 2 of said chapter 45 is hereby amended by striking out the words “provided further, that not less than \$200,000 shall be expended for a grant for From the Top, Inc.” and inserting in place thereof the following words: — “provided further, that not less than \$300,000 shall be expended for a grant for From the Top, Inc.; provided further, that not less than \$50,000 shall be transferred to the Barre Historical Society for the restoration of a stagecoach; provided further, that not less than \$50,000 be provided to the town of Sutton for the study and design of the Manchaug

Village tourism streetscape plan; provided further, that not less than \$150,000 shall be expended for the Highland Center for the Arts at the Cape Cod National Seashore; provided further, that not less than \$40,000 shall be expended to the St. Peter's Fiesta Committee for the purchase of Seine Boat replicas; provided that the committee shall match this amount from private funds; provided further, that not less than \$100,000 shall be expended for improvements to the Granby town hall; provided further, that \$20,000 shall be transferred to the town of Monson for the beautification of the downtown area; provided further, that \$250,000 shall be expended to the Merrimack Valley Economic Development Council; provided further, that not less than \$75,000 shall be expended for the Worcester County Convention and Visitor's Bureau located in the city of Worcester

SECTION 111. Said item 7007-0900 in said section 2 of said chapter 45 is hereby further amended by striking out the words:— “provided further, that not less than \$100,000 shall be expended for the Metro West /495 Corridor Partnership, as successor to the I-495 Technology Initiative”

SECTION 112. Item 7007-1200 of said section 2 of said chapter 45 of the Acts of 2005 is hereby amended by inserting after the word "Initiative" in line 21 the following: "and provided further that \$150,000 shall be provided to the North Central Chamber of Commerce to develop the Mass Plastics Medical Device Connection Initiative".

SECTION 113. Section 2 of Chapter 45 of the acts of 2005 is hereby amended by inserting after item 7035-0002 the following item:

7035-0004 For a grant to the Greater Lawrence Community Action Council,  
Inc's Spanish Community Services Program .....\$66,000

SECTION 114. Item 7061-9404 of said section 2 of said chapter 45 is hereby amended by inserting after the words “Barnstable, and Springfield;” the following words:— provided further, that \$52,858 shall be expended for the Dennison Memorial Community Center in the city of New Bedford.

SECTION 115. Item 7100-0200 of said section 2 of said chapter 45 is hereby amended by striking out the words, “and provided further, that not less than \$350,000 shall be expended for the William Trotter Institute at the University of Massachusetts at Boston,” and by inserting in place thereof the following words:— ; provided further, that not less than \$350,000 shall be expended for the William Trotter Institute at the University of Massachusetts at Boston; and provided further, that \$399,316 shall be expended for the one-time cost to renovate and reopen the Worcester regional office of the chief medical examiner at the University of Massachusetts Medical Center in the city of Worcester.

SECTION 116. Item 8000-0000 of said section 2 of said chapter 45 is hereby amended by adding the following words - provided further, that not less than \$150,000 shall be expended for the purpose of a targeted control substance interdiction pilot program to be administered jointly by the district attorney for Suffolk county and the chiefs of police for the city of Revere and the town of Winthrop; provided further, that not less than

\$130,000 shall be expended for the Salem Harbormaster in the City of Salem for the purpose of purchasing an additional patrol boat; provided further, that \$150,000 shall be expended to fund a study to consider the siting of a new state police crime lab in the city of Worcester; and provided further, that \$439,000 shall be expended as a grant to the Massachusetts sheriffs association for the implementation of an iris identification program in each sheriff's office to assist in locating missing persons.

SECTION 117. Item 8000-0010 of said section 2 of said chapter 45 is hereby amended in line 45 by inserting after the word "Sandwich" the following: provided further, that not less than \$40,000 shall be expended for police protection at Five Corners intersection during the Summer of 2006 by the Town of Tisbury;.

SECTION 118. Item 8324-0000 of said section 2 of said chapter 45 is hereby amended by adding the following words:— ; and provided further, that \$50,000 shall be provided to the town of North Brookfield for the construction of a regional firefighter training facility; provided that not less than \$25,000 shall be transferred to the town of Millbury for a feasibility study of a multi-use public safety structure; provided, that no assessment shall be made for these items.

SECTION 119. Item 8400-0001 of said section 2 of said chapter 45 is hereby amended by striking out the words "may operate a full service office in the town of Milford to be operated 5 days a week;" and inserting in place thereof the following words:- shall operate a full service office in the town of Milford to be operated 5 days a week; provided further, that \$400,000 shall be expended for a study and evaluation of the automated license and registration system;

SECTION 120. Item 8700-0001 of said section 2 of said chapter 45 is hereby amended by adding the following words:— ; and provided further, that \$460,802 shall be expended for reimbursements to the city of Malden for the costs associated with soil contamination found throughout property once owned and conveyed by the commonwealth to the city of Malden

SECTION 121. Item 8900-0001 of said section 2 of said chapter 45 is hereby amended by adding the following words:- ; and provided further, that \$875,000 shall be expended for an emergency safety equipment grant to the town of Bridgewater.

SECTION 122. Item 9700-0100 of said section 2 of said chapter 45 is hereby amended by striking out the words "December 15, 2005" and inserting in place thereof the following words:— February 15, 2007.

SECTION 123. Said item 9700-0100 of said section 2 of said chapter 45 is hereby further amended by striking out the words "February 1, 2006" and inserting in place thereof the following words:— April 1, 2007.

SECTION 124. Said item 9700-0100 of said section 2 of said chapter 45 is hereby further amended by adding the following words:— “provided further, that for the purpose of the programs appropriated funds may be expended through April 1, 2007

SECTION 125. Section 37 of chapter 45 of the acts of 2005 is hereby amended by adding the following sentence:- Said commission shall also require that electronic roll call machines in the house of representatives be shown during live cable television coverage of any legislative session and provide recommendations to the house and senate committees on ways and means on the cost of such a requirement.

SECTION 126. Section 36 of said chapter 45 is hereby amended by striking out the words:— “3 members”; each time they appear, and inserting in place thereof the following words: — 4 members.

SECTION 127. Item 7004-0022 of section 2 of chapter 53 of the acts of 2005 is hereby amended by striking out the words "section 4" and inserting in place thereof the following word:- section 7.

SECTION 128. Subsection (b) of section 16 of chapter 106 of the acts of 2005 is hereby amended by striking out the word “June 30, 2006” and inserting in place thereof the following word:- June 30, 2007.

SECTION 129. Notwithstanding section 15E of chapter 15A of the General Laws, the procedures established by the boards of trustees of public higher education to administer the public higher education endowment incentive and capital outlay contribution program established by said section 15E shall be adopted on or before August 17, 2006.

SECTION 130. Notwithstanding any general or special law or regulation to the contrary, the state comptroller shall grant a permanent waiver or exemption from any and all applicable charges or assessments made against the Water Supply Protection Trust by the Office of the Comptroller pursuant to its authority under sections 5D and 6B of chapter 29 of the General Laws. Any charges or assessments made against the Water Supply Protection Trust pursuant to the aforementioned sections shall be refunded to the Trust forthwith.

SECTION 131. Notwithstanding any general or special law to the contrary, not later than 10 days after the effective date of this act, the comptroller shall transfer \$135,991,000 from the Commonwealth Stabilization Fund, established pursuant to section 2H of chapter 29 of the General Laws, to the General Fund.

SECTION 132. Not later than 10 days after the effective date of this act, the comptroller shall transfer \$120,000,000 from the Commonwealth Stabilization Fund, established pursuant to section 2H of chapter 29 of the General Laws, to the Transitional Escrow Fund, established in section 16 of chapter 106 of the acts of 2005.

SECTION 133. Notwithstanding any general or special law to the contrary, not less than 10 days after the transfer authorized in section 132 of this act, the comptroller shall transfer the balance of Transitional Escrow Fund, established by section 16 of chapter 106 of the acts of 2005, to the General Fund.

SECTION 134. The comptroller shall, in consultation with the office of the state treasurer, the executive office for administration and finance, and the executive office of health and human services, develop a schedule and make a series of transfers not to exceed \$346,000,000 from the General Fund to the MassHealth provider payment account in the Medical Assistance Trust Fund.

SECTION 135. Notwithstanding any general or special law to the contrary, the temporary tax amnesty program authorized by Chapter 4, Section 73 of the Acts of 2003 and Chapter 46, Section 113 of the Acts of 2003, which the Town of Salisbury adopted by vote of Town Meeting on October 27, 2003 is hereby extended for the Town of Salisbury until June 30, 2007.

SECTION 136. (a) The state treasurer may, upon request of the governor, issue and sell refunding bonds of the commonwealth in an amount to be specified by the governor from time to time for the purpose of paying, at maturity or upon acceleration or redemption, any bonds then outstanding and issued by an entity other than the commonwealth pursuant to section 39I of chapter 190 of the acts of 1982, section 7 of chapter 16 of the acts of 1999 or section 6 of chapter 53 of the acts of 1999, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of maturity, acceleration or redemption of such bonds. The state treasurer shall not issue any such refunding bonds unless he finds that the present value, discounted at such rate as he considers appropriate, of the principal and interest payments due on the refunding bonds is less than the present value, discounted at such rate, of the principal and interest payments to be paid, from the proceeds of such refunding bonds and investment earnings thereon, on the bonds to be refunded. These refunding bonds may be issued at such time before the maturity, acceleration or redemption of the bonds to be refunded thereby as the state treasurer, with the approval of the governor, considers advisable. The issuance of these bonds, the security therefor, the maturities and other details thereof, the rights of the holders thereof and the rights, duties and obligations of the commonwealth with respect thereto shall be governed by the provisions of chapter 29 of the General Laws which relate to the issuance of bonds by the commonwealth, insofar as such provisions may be appropriate therefor. In connection with any issuance of refunding bonds pursuant to this section, the secretary of administration and finance and the other party or parties to the contract for financial assistance related to the bonds being refunded and the state treasurer may enter into amendments to the contract and any other documents that they consider necessary or desirable to effectuate the issuance of the bonds. Without limiting the generality of the foregoing, the provisions of section 49 of chapter 29 of the General Laws applicable to sinking funds established with trustees shall apply to the deposit of refunding bond proceeds with a trustee, except that such proceeds shall be held for the benefit of the holders of the bonds to be refunded thereby.

(b) Bonds and the interest thereon issued under this section shall be general obligations of the commonwealth and all bonds issued by the commonwealth under this section shall be designated on their face General Obligation Contract Assistance Refunding Bonds, and shall be issued for such maximum term of years, not exceeding 20 years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution. The debt service on these refunding bonds shall be charged to the various budgeted funds of the commonwealth in proportion to the principal amounts being refunded.

(c) The state treasurer shall file a report with the house and senate committees on ways and means no later than 30 days after the sale of any refunding bonds issued pursuant to this section. This report shall include written documentation of compliance with this section, including, but not limited to, the issue or issues to be refunded, the projected dollar savings and the projected present value savings.

SECTION 137. Notwithstanding any general or special law to the contrary, the fire department of the Massachusetts Port Authority shall be considered a fire department and the fire chief of the Massachusetts Port Authority shall be considered the head of the fire department, for the purposes of receiving any delegation of powers or authority from the state fire marshal that the state fire marshal may be authorized to delegate to a head of the fire department of a fire department of a city or town.

SECTION 138. Notwithstanding any general or special law to the contrary, the Massachusetts Port Authority shall have primary and exclusive jurisdiction and responsibility for fire prevention and fire fighting services on its projects, as defined in chapter 465 of the acts of 1956. Primary firefighting services on said projects excluding Boston Logan International Airport and Hanscom Field shall be the responsibility of the local municipality. Said Authority may delegate such jurisdiction or responsibility for any project or portion of a project to the fire department of the city or town in which the project is sited, as the Authority may from time to time deem appropriate and proper.

SECTION 139. Notwithstanding any general or special law to the contrary, the commissioner of the division of capital asset management and maintenance may sell and convey to the city of Lowell, for park and open space purposes a parcel of state-owned land together with all structures located on it, located in the city of Lowell, subject to the requirements of this section. This parcel, together with all structures located on it, containing 4.931 acres, more or less, is shown as Parcel 3, referred to as the "public parcel", on that certain plan entitled "Approval Not Required ('ANR') Plan, Lawrence Mills Redevelopment, Lowell, Massachusetts", Scale 1"=40', prepared by Harry R. Feldman, Inc., dated August 14, 2003 [Parcels 1, 3 and 5 revised January 28, 2004, Parcels 3 & 4 revised and Parcel 7 added August 26, 2004, and Parcels 3, 4 & 7 revised March 31, 2005] and recorded with the Middlesex (North) registry of deeds in plan book 218 at pages 56 and 57, referred to in this section as the "park parcel". The park parcel may also be used for vehicular and pedestrian access and for the installation of utilities within the areas designated as PAU-1, PAU-3D and CRM-8, as shown on that plan, collectively designated the "roadways". As consideration for this conveyance, the city of

Lowell shall be responsible for the care and maintenance of the park parcel, including the care and maintenance of the roadways, and shall be responsible for the costs of any surveys (including, without limitation, the costs of preparing a recordable plan and the costs of recording that plan with the appropriate registry of deeds) and other expenses relating to the transfer of the park parcel considered necessary by the commissioner for the conveyance of the park parcel to the grantee. In the event that the park parcel or any portion of it (other than the roadways) ceases to be used for park and open space purposes, title to the park parcel shall revert to the commonwealth upon the recording of notice of the reversion in the appropriate registry of deeds. The city of Lowell may establish a park maintenance fund for the care and maintenance of the park parcel and to collect from owners of properties adjacent to the park parcel funds that the owners may have contracted with the commonwealth to provide for the park parcel.

SECTION 140. Notwithstanding any general or special law to the contrary, the commissioner of the division of capital asset management and maintenance may grant to the owner of the parcel shown as Parcel 1 on that certain plan entitled "Approval Not Required ('ANR') Plan, Lawrence Mills Redevelopment, Lowell, Massachusetts", Scale 1"=40', prepared by Harry R. Feldman, Inc., dated August 14, 2003 [Parcels 1, 3 and 5 Revised January 28, 2004, Parcels 3 & 4 revised and Parcel 7 added August 26, 2004, and Parcels 3,4 & 7 Revised March 31, 2005] and recorded with the Middlesex (North) registry of deeds in plan book 218 at pages 56 and 57, referred to in this section as the "Plan", or to the successors and assigns of that owner, an easement over a portion of the parcel shown as Parcel 3 on the plan, this easement to be for the operation, maintenance, use, repair, and replacement of a sewer lift station for the benefit of the buildings located on said Parcel 1. The exact boundaries of the easement area are to be determined by the commissioner based upon a survey. As consideration for this grant of easement, the grantee shall be responsible for the costs of any surveys (including, without limitation, the costs of preparing a recordable plan and the costs of recording that plan with the appropriate registry of deeds) and other expenses relating to the grant of the easement considered necessary by the commissioner for the grant of the easement. The owner of Parcel 1 and its successors and assigns from time to time shall be responsible for the operation, maintenance, use, repair, and replacement of the sewer lift station.

SECTION 141. Notwithstanding any general or special law to the contrary, the chief justice for administration and management shall report to the house and senate committees on ways and means not later than November 31, 2006 on the cost of reestablishing the trial court child care program.

SECTION 142. Notwithstanding any general or special law to the contrary, the secretary of administration and finance shall report to the house and senate committees on ways and means no later than November 15, 2006 on the extent of the damages to public property throughout the commonwealth as the result of severe flooding since the beginning of fiscal year 2006.

SECTION 143. (a) Notwithstanding any general or special law to the contrary, the commissioner of the department of workforce development shall enter into a contract for



not less than \$934,000 with the Massachusetts Council of Human Service Providers, Inc. to continue development of an industry-guided, Internet-based workforce development program for approximately 31,000 low-paid, economically disadvantaged direct care workers who deliver direct care services through community-based organizations pursuant to purchase of service contracts with the executive office of health and human services or agencies within that executive office. The contract shall provide for quarterly reports to the department detailing the number of direct care workers served, the type and duration of training provided, data on the turnover of vacancy rates of contract providers and such other information as the department may require.

(b) These funds shall: (1) provide essential training and credentialing for the direct care workforce in the human service, contract provider industry funded through EOHHS; (2) improve recruitment and retention of a well trained direct care workforce which currently has turnover and vacancy rates as high as 40 per cent; (3) improve the quality of services provided to clients referred by the commonwealth, and (4) develop occupational skills and expand the career potential for workers in Massachusetts including older workers. The council may expend these funds to hire a program director as well as consultants with expertise in the field of human services training to develop a curriculum and to administer the program using an e-learning, or web or internet based environment.....\$934,000.

SECTION 144. Notwithstanding any general or special law to the contrary, the state comptroller shall grant a permanent waiver and/or exemption from any and all applicable charges or assessments made against the Natural Heritage and Endangered Species Fund by the Office of the Comptroller pursuant to its authority under chapter 29 of the General Laws; Provided that no waiver and/or exemption shall be granted without the written approval of the secretary of administration and finance.

SECTION 145. Sections 3, 4, 5, 7, 10, 11 and 12 of this act shall take effect as of July 1, 2005.

SECTION 146. Sections 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49 of this act shall take effect as of January 1, 2006.

SECTION 147. Section 17 of this act shall take effect on January 1, 2006.